

4175. 44 12

THE  
C A S E  
OF

Praying for all *Actual* Governors, as  
such, without Regard to their *Right* or  
*Titles*, impartially consider'd:

In a Letter to the Reverend

Mr. Patrick Cockburn, A. M.

Minister of St. Paul's Chapel in Aberdeen:

OCCASION'D

By a late Controversy, concerning his SERMON,  
of the *Duty and Benefit of Praying for our*  
*Governors*;

By a Disinterested By-stander, and a Sincere Friend to him  
in the Truth.  
*The Rev. Lindsey Wanjurer, Dean of Aberdeen 18 July 1739 O.S.*

• That you are not to trouble your Head, whether the  
• King's Title be right or wrong, but you are to swear to  
• [and so to pray for] whatever is uppermost, whether he  
• be a Rightful Prince or an Usurper, — is such a  
• Scorn put upon a Free Nation, as never was in the  
• World: As if the Subjects of Great Britain were to  
• engage their Allegiance Blindfold, and were to venture  
• their Lives and Fortunes in behalf of a Title which is  
• to be unsight unseen, at that ridiculous rate as no Coun-  
• tryman will buy a Pig! Samuel Johnson's Argument  
proving the Abrogation of King James, 4to. 1692. Pre-  
face, p. 11, 12.

• We all know, That 'tis not what is artfully  
• pleaded, but what is fully prov'd; not what may be said  
• by us, but what the Law says; that ought to be our Rule  
• in all such Cases. Whiston's Scripture Politics 8vo.  
1717. Dedic p. xx.

London: Printed and sold by the Booksellers. 1739.





## ERRATA.

**P**AGE 23. l. 28. for *Succession*, read *Succesfs*. p. 99.  
l. 22. for *forgo*, read *forego*. p. 100. l. 12. for *forgo*  
read *forego*. p. 127. l. ult. for 38. read 28. p. 189. l. 18.  
*substantia*, read *substantial*. — l. 26. *Doctrine*, read *Doc-*  
*rines*. p. 45. l. 14. *dele the*. p. 134. l. ult. *after 55. add*  
and 115.





A  
LETTER

TO

Mr. COCKBURN.

*Reverend S I R,*



O U R late Performance, which by its Date appears to have been publish'd two or three Years past, was lately put into my Hands, with this Character of it, that *You reckon it unanswerable.* This, with the Opinion I had long entertain'd of your Judgment and Integrity, engag'd me to give it a very serious Perusal: And the Condition, under which I had the Favour of it, obliges me to communicate my Thoughts, *and to make Remarks upon it.*—  
I mean Your VINDICATION of a Coronation

B

*Sermon,*



*Sermon*, which you had preach'd in *St. Paul's Chapel* in *Aberdeen*; in *Answer* to certain *Remarks* made upon it, which, you say, you have *reprinted Verbatim*, and *answer'd Paragraph by (a) Paragraph*.

As this seems to be very fair Dealing with your Reader and Antagonist; so, in the Discharge of my own Engagement, I shall endeavour to deal as fairly with you. And therefore, tho' I shall avoid that Method, which would now be very tedious, I shall be, nevertheless, careful to refer to your own Words, in every Passage that I shall have Occasion to animadvert upon: All which I think most reasonable and decent to address to yourself, as the Person chiefly concern'd; that you may judge, whether I treat you, as I ought, and intend to do, with all due Respect to your Person and Character, tho' the World will judge of the Force of our respective Arguments.

In the first Place, Sir, I think it proper to declare, That I am an utter Stranger to the former *Remarker*: And therefore my Performance, how weak or exceptionable soever, is not to be charg'd to his Account. I take your *Vindication*, as it lies here singly before me; and shall not officiously make myself a Party in the Controversy between your *Sermon* and his *Remarks*; and much less so as to be answerable for the Application made of it on either Side.

Your

Your avow'd Undertaking here is, to vindicate the Lawfulness and Duty of praying for our present King and (b) Governor: And this you profess to have been your Intention in your Sermon, to prove, by this Argument, of his 'being vested with a lawful and right-ful (c) Authority.' You say, 'your Sermon presses a Duty only to rightful and lawful (d) Authority:' And that *whether the Text is to be understood with this Distinction* (of a Rightful Title) or not, *it no ways affects your Argument in your Sermon, since you there press the Duty to lawful and rightful (e) Authority.*

Now, Sir, had you in this *Vindication pressed a Duty only to rightful and lawful Authority* (as you say you did intend in your Sermon) I would not have drawn my Pen, unless perhaps to have return'd you my Thanks, for settling that Duty upon its just Foundation. And why did you think there could be any Occasion to strain your Argument farther? For, if *our present King and Governor is vested with a lawful and rightful Authority* (And where is the *Champion* who dares to say the contrary?) then surely, you had no more to do, but to press the Apostle's Injunction upon all his Subjects, to *pray for him, &c.* as such. It was enough for you, to have taken his *lawful and rightful Authority* for granted: But, to strain your Argu-

B 2

ment

(b) Title-page. (c) Page 4. (d) Ibid. (e) Page 10, 11.



ment farther than there was either Occasion for you to do, or than even the Apostle's Rule in the Text can be fairly understood to warrant, seems, in my humble Opinion, to be spinning out the Thread till it breaks in your Hand, and giving some of your Readers Cause to suspect, that you are conscious of some Defect that wants to be thus fine-draw'd!

Whether the *Remarker* was mistaken in the *Design of your Sermon* or not, it concerns not me to enquire. You say, *It was not your Intention, in your Sermon, to prove* ' That we ' are to pray for all Sorts of Actual (*f*) Go- ' vernors.' But then you say again, ' If the ' general Reasons, there laid down — are ' so just and strong, as to infer and conclude ' even for all actual Governors, then certainly ' they conclude for those who are lawful ' and rightful Governors, as well as actual: ' And for such only, that is, for our right- ' ful and lawful Governors, the Higher Pow- ' ers now over us, did you endeavour to per- ' suade *your* Hearers to put up their Prayers, ' as in Duty bound, and not for any Go- ' vernors, be their Title what it (*ff*) will.' Yet, after all, whatever was your *De- sign or Intention in your Sermon*, you have, in this *Vindication* of it, gone so far out of your Way, as plainly endeavouring to persuade *your Readers, to put up their Prayers, as in Duty*

*Duty bound, for any Governors, be their Title what it will; yea, for all Sorts of actual Governors, whether their Title be rightful and lawful or not! And this, Sir, has induc'd me, as an indifferent Person between you, to enter into a frank and friendly Expostulation with you, as what seems to give the Opponent great Advantage against you; which I shall now proceed to consider more particularly.*

And here, in the very *Title-page*, we may perceive, that you have artfully varied the State of the Question. For your *Sermon* propos'd no more than *The Duty and Benefit of praying for our Governors*, in general Terms: But your *Answer to the Remarks* is intitled, *The Lawfulness and Duty of praying for our present King and Governor vindicated*. Thus you endeavour to screen yourself, under the Name and Authority of *our present King and Governor*, whose Right and Title the *Remarker* has not disputed; when your proper Business was only to *vindicate your Sermon*, against the Imputation of Teaching, 'That we ought to pray for all Sorts of 'actual Governors, whether their Authority 'be good or (g) not.' So that now, your Doctrine, which tends to legitimate and sanctify all manner of Usurpation, and successful Rebellion, cannot be fairly controverted; but your Reader is to be alarm'd, as if the Title and Authority of *our present*



*King and Governor* were call'd in Question !

Thus you call the *Remarks* on your *Sermon*, ' A Paper of Objections against praying for our present King and (b) Governor: ' And represent them, ' as being suppos'd to contain the Force of the Arguments of such as are dissatisfied with the present Government in this Country, against the Duty recommended in the (i) Sermon.' But, you know, Sir, there is a great Difference between *objecting against praying for him*, and *objecting against the Method you have taken to prove the Lawfulness and Duty of praying for him*. The former may be not only *lawful*, but a necessary *Duty* (as it certainly is, for all those who are *vested with a lawful and rightful Authority*;) and yet the latter may be fairly liable to Objections, where the Method taken to enforce that Duty is incumber'd with precarious Arguments or Insinuations: As, every one knows, a Prince may have an undoubted lawful and rightful Title, and yet even the very best Title may be too weakly or unskilfully defended. — And this Caveat I think very proper to be enter'd here, to guard against that invidious Suggestion, as if every one who dissents from you in this Controversy, must of course be *suppos'd to be dissatisfy'd with the present Government* !

I agree with you, that where your Text injoins

(b) Preface, Page iii.

(i) *I bid.*

(k) enjoins us to *pray for Kings, and all that are in Authority*, the Word *Kings* ‘ stands for the Supreme Magistrate in any Country; the Precept enjoining us to pray for ‘ all Magistrates, Supreme or (l) Subordinate:’ As likewise, that ‘ The Doctrine of the ‘ Text is general; reaching to all Subjects, ‘ under what Form of Government soever ‘ they live, and by whatsoever Names the ‘ Higher Powers to them are dignify’d or ‘ distinguish’d;’ (m) whether *King, Emperor, Sultan, Sophi, Prince, Duke, Lord*, or (if you please) *Protector*! For the Name or Stile of the Supreme Magistrate alters not the Case at all, provided only, that he be *vested with a lawful and rightful Authority*, according to the fundamental Constitution of the Country of which he takes upon him to be the Supreme Magistrate. Yet, considering that you live in a Country, where *the King* is acknowledged (n) to be *the only Supreme Governor*,

(k) 1 Tim. ii. 2.

(l) Page 2.

(m) Page 3.

(n) In the 39 *Articles of Religion*, the Church of *England* professes to believe, That the King ‘ hath the chief Power ‘ in this Realm of *England*, and other his Dominions; unto ‘ whom the chief Government of all Estates of this Realm, ‘ whether they be ecclesiastical or civil, in all Causes doth ‘ appertain.’ (Art. xxxvii.) By the *Oath of Supremacy*, appointed to be taken by all Members of both Houses of Parliament, &c. *the King* is acknowledg’d to be ‘ the only ‘ Supreme Governor of this Realm, &c.’ By the *Constitutions and Canons ecclesiastical*, ‘ Whosoever shall impeach any ‘ Part of his Regal Supremacy’ &c. is to be excommunicated, *Ipso Facto*. (Can. ii.) And the same is evident also in

the



nor, and where, as you well observe, *all Parts of the Administration and Government* (the Council, Judges and Magistrates, and even the Parliament itself) *act by Commission from him, under him, and depending upon (o) him;* your making Use of the ambiguous Term, *Governors*, rather than that of *Kings*, does not seem, even to me, so *apt and proper*, nor so fairly adapted to the common Conception of your Hearers and Readers; tho' I am not inclin'd to suspect, that you did this *with a Design to mislead* them, as you intimate some others have insinuated you (p) did.

But, if you would fairly acquit yourself of such a *Design in your Sermon*, ' To prove, ' that we ought to pray for all Sorts of actual Governors, whether their Authority ' be good or (q) not,' with which the Remarker charges you, Why do you here so strenuously and positively insist upon what plainly amounts to the same Thing, as you do almost in every Page of your *Vindication*?

You say, ' The Reason for such Prayer is ' not on Account of the Title of *King*,— ' but on the Account of his being *our* (r) ' Go-

the great *Statute Book*; where it is declar'd, That ' the *Sole* ' *Supreme Government, Command, and Disposition* of the ' *Militia*, and of all Forces by Sea and Land, and of all Forts ' and Places of Strength, is, and by the Laws of *England* ' ever was, the *undoubted Right* of his Majesty, and his Royal ' Predecessors,' &c. (*Stat. 13. Car. ii. c. 6. & 13. & 14. Car. ii. c. 3* ) besides infinite other Authorities to the same Purpose.

(o) Pag. 24. (p) Pag. 3. (q) Pag. 2. (r) *Ibid.* & Pag. 3.

'Governor.' But, how does that appear? One would think, that, in a Country where the Chief Magistrate has the Title of *King*, the Reason of praying for him should properly be on Account of his *Authority*, as being *the King*: And where that Title is Hereditary, surely, such Prayers should in right Reason be appropriated to him, who is the undoubted *Rightful King* by the Natural Course of *Inheritance*, tho' possibly for a Time dispossest'd of the actual Power to exercise that Authority; and not to any other, who may get the Reins of Government into his Hands, without any Right or Title to be *our Governor*, but only that pretended one of his being *actually in Possession* of the Power over us. But, nevertheless, you tell us, ' In this Kingdom the Words *King* and *Governor* are synonymous Terms, or expletive the one of the (a) other.' In this Kingdom, as I said before, *the King is the only Supreme Governor*: But you will not say, Sir, that every one who may possibly become our *actual Governor*, does thereupon of course become *our King*. You cannot but know sufficient Proofs to the contrary: And therefore your Position, that *the Words King and Governor are synonymous Terms, or expletive the one of the other*, is groundless even in Fact. 'Tis true, ' In the Litany and Collects in the Communion-

' Ser-



‘ Service, it is, *our King and Governor*; that  
 ‘ is, as you interpret it, our King, who is  
 ‘ our (b) Governor.’ And well it may be  
 so: Because the Principles of the Church of  
*England* (c) are so orthodox, with regard to  
 the Rights of Princes, that the Compilers of  
 our Liturgy could not decently suppose, that  
 any one could become our Governor but *the*  
*King* himself, whose sole Right it is acknow-  
 ledg’d to be, to govern us.

But, in fact, so far is that excellent Office  
 from being indifferent, with respect to the  
 Right and Title of *our King and Governor*,  
 that it plainly supposes (d) an *undoubted Right*  
 in

(b) Page 3. (c) Dr. William King, late Arch-bishop  
 of Dublin, gives this true Character of the Church of Eng-  
 land, in respect of her steady Loyalty, That ‘ it is impossi-  
 ‘ ble any one of our Communion should be disloyal, without  
 ‘ renouncing his Religion.’ (*Letter to Bishop Sheridan, pre-*  
*fix’d to that Bishop’s Sermon 22. March 1684.*) And Dr. Sher-  
 lock, speaking of the *Bill of Exclusion*, says, ‘ If ever the  
 ‘ Loyalty of the Church of England was try’d, it was in  
 ‘ that Affair, which she had no other Interest, but a Sense of  
 ‘ Duty, to oblige her to: And I know not any one Man,  
 ‘ who was firm and stedfast to the Church, but was so to the  
 ‘ Succession too; tho’ he underwent the Imputation of being  
 ‘ a Papist, or popishly inclin’d, for it.’ (*Vindication of his Ser-*  
*mon 29. May. 1685. 4to. p. 25.*)

(d) Dr. Comber, who must be suppos’d to have understood  
 our Common Prayer, says, ‘ No Affections nor Passions are too  
 ‘ fervent, no Opportunities too often, to call upon God for  
 ‘ our Gracious King, who is our *Lawful and Natural Liege*  
 ‘ *Lord, a just Possessor of his Crown,*’ &c. (*Comp. to the Temp.*  
 ‘ 3. Edit. 8vo. 1679. Part i. p. 426.) He paraphraseth the  
 Words, *King and Governor*, thus; ‘ *Charles*, by thy Provi-  
 ‘ dence, and *his undoubted Right*, our King and Governor;  
 ‘ — our *just and rightful King and Governor.*’ (*Comp. to the*  
*Altar, 3. Edit. 8vo. 1681. p. 42. 46.*) On the Petition for all  
 Christ.

in the Person to be pray'd for; and that Right too to be indefeasible. As for Instance, in our Prayers for our *Sovereign Lord*, where we acknowledge *God to be the only Ruler of Princes*, and *the King to be his Minister*, and *to have his Authority*: And, more particularly, where we own King *Charles II.* to have been *the undoubted Heir* of his martyr'd Father's Crowns, and our then *Gracious Sovereign* (even while he was in Exile and Attainted, and another Person *actually govern'd his Kingdoms*) and return solemn Thanks to God for restoring him, *whose Right it was*, together with his Royal Brother, King James, to sit successively in Peace upon the Throne of their Father, and to exercise that Supreme Authority over us, one after the other, which of his Special Grace he had design'd for (e) them. So that you can't have any Warrant from the Church of *England*, for your Assertion, 'That the very Reason for praying for Kings is, that they are our (f) Governors.' Nor have I yet discover'd, where you will find one for what follows.

*Christian Kings*, &c. he observes, that 'We must pray for the Safety of other Kings, no farther than is consistent with the Welfare of our *Natural Liege*, for whom we must pray especially.' (*Ibid.* p. 89.) And he paraphraseth the same, thus; — 'Save the Souls, and defend the Persons and Rights of all Christian Magistrates, who, in their several Dominions, have, or ought to have, Supreme Governance,' &c. (*Ibid.* p. 102.)

(e) Offices for the 30th. of January and the 29th. of May.

(f) Page 3.

You



You will here venture to say, ' That they  
 ' who pray for their actual Governors (what-  
 ' ever Right they have to that Authority)  
 ' come nearer to the Duty in the Text, and  
 ' run less Hazard of an Error, than they  
 ' who refuse it (g) . ' But, for my Part,  
 I never was inclin'd to *venture, or run Ha-  
 zards of any Error*, in Relation to solemn  
 Offices. — Since the Injunction in the  
 Text is, ' To be a Rule to all succeeding  
 ' Ages,' as well as to those first *Converts* to  
 whom the *Apostle gave it*, ' to regulate  
 ' their Behaviour in this Point, as a Matter  
 ' of great (b) Moment,' it highly concerns  
 every Christian, not only to *come near to the  
 Duty in the Text*, but even to come up to it.  
 And, since that Duty is to be discharg'd by  
 our *praying for Kings, and all that are in  
 Authority*, how can we acquit ourselves of it  
 as we ought, without duly considering *Who  
 is our King, and Who are in Authority?* Or  
 how can we receive this *Apostolical Injunction*,  
 as the primitive Christians did, ' with great  
 ' Simplicity and Sincerity of (i) Heart,' if  
 we concern ourselves no farther about the  
 Matter, than by praying, as you would have  
 us, for our *Actual Governors*, for the Time  
 being, without regarding whether they have  
*Authority* to be so or not? This Sort of  
*Simplicity* seems, at best, to be but a *praying  
 at a Venture*; and such *Prayers* to be no bet-  
 ter

(g) Page 4.

(b) Page 5.

(i) Page 6.

ter than what you call ‘ vain Words, and  
 ‘ an empty (k) Sound;’ like the *Swearing at  
 a Venture*, which several excellent Authors,  
 (l) as you cannot but know, pronounce to  
 be *Perjury*. For, as in the Case of *Swearing*,  
 it does not acquit us of the Sin, tho’ the  
 Thing sworn shall *happen to be true*, while  
 we *doubt* of, or do not *certainly know*, the  
 Truth of it; so in the Case of *Praying*, we  
 cannot duly discharge our Duty by *Praying*  
*for* any one, as *our King and Governor*, even  
 tho’ he may happen to be so, while we doubt  
 of, or do not certainly know, the Truth of it.  
 How then, Sir, can you *venture to say*, that  
 ‘ they who pray for their actual Governors  
 ‘ (whatever Right they have to that Autho-  
 ‘ rity) come nearer to the Duty in the Text,  
 ‘ and run less Hazard of an Error, than they  
 ‘ who refuse it?’

I do not expect you to come off here, as  
 some others have done, with a *Jesuitical*  
 Evasion, as if you did not, *absolutely and pro-*  
*perly,*

(k) Page 24. (l) The Author of *The whole Duty of  
 Man*, speaking of assertory Oaths, says, — ‘ Nay, if I  
 ‘ swear to the Truth of that whereof I am only doubtful,  
 ‘ tho’ the Thing should happen to be true, yet it brings  
 ‘ upon me the Guilt of *Perjury*: For I swear at a Venture,  
 ‘ and the Thing might, for ought I knew, be as well false  
 ‘ as true; whereas I ought never to swear any thing, the  
 ‘ Truth of which I do not *certainly know*.’ (*Whole Duty of  
 Man*, §. iv.) And, to the same Effect, the last Archbishop of  
 Canterbury says, ‘ He *forswears* himself, who swears to the  
 ‘ Truth of any Fact, which at the same Time he either cer-  
 ‘ tainly knows to be false, or does not *know to be true*.’  
 (*Wake’s Disc. concerning Swearing*, 1696. 8vo. p. 15.)



perly, mean their not having some proper Right, but only *whatever Sort of Right such actual Governors may have to that Authority*, whether that of Inheritance in Hereditary, or of Election in Elective Governments, &c. For your Argument is not concern'd in the Nature of that *Authority*, provided they *have a Right* to it, or rather to the Exercise of it (for *Authority* always supposes a *Right*) according to the fundamental Constitution of the Government. But the general Drift of this your whole Discourse sufficiently explains your Meaning of *actual Governors*, as such, whether they have *any Right* to be so or not; which is the Proposition I except against, as both unwarrantable, and of dangerous Consequence to the Cause in Hand. Neither can I see what great *Hazard of an Error they run, who refuse to pray for such actual Governors*, while they *refuse* it not out of mere Disaffection to them, but purely on a conscientious Doubt of their *Authority*, and a Dread of offending against this very Injunction in the Text; as I am fully persuaded of many, and in Charity we ought to believe of all, *who refuse it*.

You are pleas'd to question, whether the Original Words, which we translate *Kings, and all that are in Authority*, do imply a *Rightful Title*: And say, ' There are very ' strong Reasons to persuade us, that such ' nice Distinctions are not so easily to be ' admit-

‘ admitted, in this and the other Precepts on  
 ‘ that Subject, in the (m) Gospel.’ Among  
 which you recommend to Consideration,  
 ‘ 1. That all the Precepts of Subjection,  
 ‘ Obedience, and Prayers for the Higher  
 ‘ Powers, are deliver’d in general Terms,  
 ‘ without any such Distinction, or Insinua-  
 ‘ tion of Distinction, as is (n) pretended.’  
 But, it so happens, that some of those very  
 Texts, which you have here instanced, are  
 by the best *Commentators* (and that is an  
 Authority to which you pay a regard, on  
 some (o) Occasions) as well as by many Cele-  
 brated Preachers, expounded *with such a*  
*Distinction*. As *Render to Cæsar &c.* plainly  
 supposes a *Right* to what was so to be ren-  
 der’d, or restor’d to him; as you yourself have  
 afterwards explain’d it, to mean the Things  
 which of Right belong to (p) *Cæsar*: And  
 the *Higher Powers* are (q), in the Original,  
 literally

(m) Page 4.

(n) *Ibid.*

(o) Page 2, 3, 56, 91.

(p) Page 89.

(q) Bishop *Ward*, on *Rom. xiii. 1, 2.* observes, ‘ That  
 ‘ the *Greek Words*, which we translate *the Higher Powers*,  
 ‘ properly signify *Authorities*; *Civil Authorities*, having *Jus*  
 ‘ *Gladii*; the *Authorities* supreme or subordinate, *justly ob-*  
 ‘ *taining* over them. It is not *Δυναμις* or *Κρατος* which  
 ‘ is here us’d (which signify corporal Strength and  
 ‘ Power) but *ἐξουσια*, which the Scripture distinguisheth  
 ‘ from both the other.’ (*Serm. 5 November, 1661. 4to. p. 8.*)  
 Bishop *Hopkins* observes, ‘ That the Word *ἐξουσια*, which  
 ‘ is here translated *Power*, is not any where us’d in the *New*  
 ‘ *Testament*, but only to signify *Authority*, and a *Lawful*  
 ‘ *Power*. Yea, — the very Notation of it, from the  
 ‘ Verb



literally the *Rightful and Lawful Powers*, or Authorities; besides other Texts of the like Import, which I may perhaps have another Occasion to mention more particularly.

You say, 2. ‘ What could the primitive Christians (to whom these Precepts were first given) infer from such Injunctions, but that they were to pay submission to, and to pray for, those Kings and Governors, under whom they then liv’d, and so on in succeeding (r) Generations?’ But, if *those Kings and Governors, under whom they then liv’d*, were Rightful and Lawful Kings and Governors, they had no Reason to think or act otherwise. No! You say, ‘ He must be very ignorant in History, who imagines, that all the Nations and Countries, in which the Gospel was preached by the Apostles and their Successors, were all govern’d by Rightful and Lawful Kings, in the Sense of these Terms, *Lawful and Rightful*, which some Men (s) contend for.’ So far

‘ Verb *ēgēsi, licet*, proves the only proper Use of it to be for *Lawful Power*.’ (Serm. 31 January, 1669. 4to. p. 14.) Bishop Atterbury pronounceth it to be *fixum ratumque*, that the Subjection to the *Higher Powers* is due, — ‘ iis qui Legitima Potestate sunt præditi.’ (Conc. ad Cler. Lond. 1709 4to. p. 5.) And Bishop Burnet says, ‘ This is certain, that Higher Powers, which are ordain’d of God, are only the *Lawful Powers*, not to be apply’d to Usurpers.’ (Serm. 5th November 1710, 2 Edit. 8vo. p. 10.)

(r) Page 6.

(s) *Ibid.*

far I grant you. But, whatever *Sense of these Terms some Men may contend for*, I shall readily allow all to be *Rightful and Lawful Kings*, who are so according to the fundamental Constitution of their respective Kingdoms. As to what you mention in general, of *ambitious Men, contested Crowns, disputed Rights, different Claims, and the longest Sword deciding the Contest, and securing (a) the Possession*; tis not improbable, that, by such Means, the fundamental Constitution of most Countries may, at one Time or other, have been violated: But, be that as it will, it can be no Proof in this Question, unless you could give an Instance of some particular Kingdoms wherein the Apostle had injoin'd, and the Christian Subjects had accordingly prayed for their *actual Governors*, in Opposition to a more lawful and rightful Claimant.

Give me Leave therefore, Sir, to suppose the Case of some Kingdom abroad, (no Matter how far, or where) by the fundamental Constitution of which the Crown ought to descend from Father to Son; and so downwards, according to the strictest Laws of Hereditary Succession, to the next Heir of the Blood Royal: And then again, supposing an Interruption in the Succession there, the next Heir dispossest'd and in Exile, but still claiming, and another in possession, *actually governing,*

C

(a) *Ibid.*



*governing*, and exercising all the Royal Power and Prerogatives, the Question between you and me is, Which of the two Claimants the Christian Subjects in that Kingdom are bound to *pray for*, as their *King*, in Obedience to this Apostolical Injunction? According to your Principle here laid down, it is their *Duty* to pray for him who does *actually govern*, without any Regard to the Right, or Pretensions of him who is disposse's'd. But, now, let us consider with what Arguments and Reasons you endeavour to establish this Doctrine; and what Strength of Authority you have for the Censure you have pass'd upon those of a different Sentiment; where you too unadvisedly undertake to shew, ' That their Opinion in this Particular, *has* no such Foundation in Scripture, Reason, or Law, as they imagine, and is ' contrary to the Practice of the whole ' Christian (b) Church.'

All that you have said of the primitive Christians *praying for those Kings and Governors under whom they then liv'd*, will be far short of any Proof in this Case, as I have already observ'd, unless you could give an Instance of some particular Kingdom exactly parallel to that here suppos'd: And so is what you have so frequently repeated of the *Cæsars*, and the succeeding Emperors, whom you treat as downright *Usurpers*; tho' the

con-

contrary thereof is Truth, in our now commonly received Acceptation of that ignominious Term; as I shall make out in its proper Place.

But, because those Emperors were submitted to, and *pray'd for*, by the Christian Churches under their respective Dominions, you seem desirous to bring in the Holy Scriptures also as authorizing Prayers for *Usurpers*; where you say, ' With these Things the Christian Religion meddles not: The Gospel was not given to decide the Rights and Claims of (c) Princes.' 'Tis true indeed, *the Gospel was not given* for that End, but has left the several Princes of this World to their respective proper Rights: Yet we ought not to say, *the Christian Religion meddles not with these Things*, unless it were demonstrable, that the Gospel has nothing to do with the standing Rules of Moral Honesty and Justice; and that it is indifferent, in Point of Christianity, whether we take upon us to label wrong Titles against apparent Right, or run the Hazard of suffering for refusing (d) it.

C 2

(c) Page 6. (d) Bishop Morley, in his Answer to Father Cressley, says, ' May not a Man have an Eye to Religion, in suffering for his Loyalty? Is not Obedience to our Sovereign a Part of our Religion? I am sure it is a Part of our Religion, if it be not a Part of *his*: And we think him as much a Martyr, that dies in Defence of the Fifth, or any other of the Ten Commandments, as he that dies in Defence of any of the Articles of the Creed. And certainly, if it had not been Religion, or Conscience towards God, that

made



it. — However, if a Man, for Argument Sake, should affirm, that *the Christian Religion* does *meddle with these Things*, and that *the Gospel* has expressly determin'd all the Precepts for Submission, and Prayers, &c. to relate only to Rightful Princes; and for Proof thereof, should refer you to the same Chapter, where you find Subjects authoriz'd to resist, exclude, and depose their Natural Sovereign, for Difference in Religion, or following the Advice of evil Counsellors, &c. I would be glad to hear how you would disprove him.

You insist much upon 'the Benefits for which Government was establish'd,' as the principal, or sole 'Reason, why we are commanded to pray for Kings, &c.' And you are pleas'd to say, 'This Reason equally holds under all Governors, or all Kings, whatever their Right or Title to the Crown may be: And therefore the Precepts for Subjection and Prayers — may very reasonably be suppos'd to include all actual (e) Governors.' Now, Sir, I always understood *Peace* to be one of the Benefits which People hope to reap under Government; and, as such, the *Apostle*, in the Context, commands

'made us suffer for our *Loyalty* to our Prince, we might as easily have bought our Security, by quitting our Loyalty, as, you say, several of the wisest of us did, &c.' (Several Treatises, by George, Lord Bishop of Winton, 1683. in 4to. Treat. iv. p. 9, 10.)

(e) Page 7.

mands us to *pray for Kings, &c. that we may lead a quiet and peaceable Life, &c.* But, tis evident, that where the *actual Governor* has not a proper Right, but only a contested and precarious Title, as in the Case here suppos'd, *Peace and Quietness* cannot reasonably be expected, nor consequently be pray'd for, in *Faith*, as all Prayer ought to be. For, tho' *Godliness and Honesty* is what we ourselves must practise ; yet, as you well observe, ' our ' *Peace and Quiet* does not depend upon ' ourselves, but upon our Governors, and ' their vigorous Administration of Justice, ' in punishing the Evil-doers, and rewarding ' them that do (f) well.' But tis needless to insist, how inconsistent *Peace and Quiet* are with such a State, where the *Actual Governor* is always oblig'd to *Standing Armies* to defend his Possession : And how such Governors, who get and keep Possession, contrary to the Principles of common Right and Justice, are wont to *administer* (what they call) *Justice*, in the Distribution of their *Rewards*, and the Execution of *Punishments*, (g) requires no great Depth of Judgment or

C 3

Expe-

(f) Page 22.

(g) Mr. J. Allington, describing the Difference between the Administration of a Rightful King and an Usurper, says, — ' Whilst *David* was at home and in the City, the Citizens would not strengthen his Hands, would not stand to him ; for he was fain to fly : But now, when out of the Land, they then begin to consider the feeling and sensible Difference, between an



Experience to understand. 'Tis evident therefore, that *this Reason* does not *equally hold under all Governors*, as you would persuade us it does.

And now farther, to prove, that *the Precepts in Question are not to be understood strictly of Lawful and Rightful Kings*, you argue,  
1. The *Absurdity* of supposing, that, among the many *Changes and Revolutions* in Kingdoms, ' Christians must have refus'd their  
' Sub-

• Usurper and a Father; between an *Absalom* and a *David*.  
• And then they find there was as much Difference between  
• the King and his Usurper, as is between a Husband and an  
• Adulterer: For, as the one takes a Woman for his Love,  
• and the other for his Lust, even so do they take Crowns;  
• the King to promote, the Usurper to make a Prey on it;  
• the King he loves, the Usurper he lusts; the King studieth  
• the Advance, Peace, and Improvement of his People, —  
• but the Usurper he studieth how to advance himself, &c.  
(*The Desire of Nations*, A Sermon 6 April, 1660. 12mo. p. 33, 34.) And another, to the like Effect, says, ' An Usurper  
• brings along with him a Necessity of renouncing all Hu-  
• manity, and Religion too. He must hate all those whom  
• he hath injur'd; and must punish whatsoever his own  
• guilty Fears present, as if they were manifest Crimes: He  
• must tolerate all manner of Disorder and Confusion in the  
• Worship of Heaven, for the Sake of those which himself  
• hath brought upon the Affairs of Earth: He must give  
• up the Word of God to mercenary Tongues and unhal-  
• low'd Hands, to be tenter'd and set upon the Rack, till,  
• with the Heathen Oracles of old, it can φιλιππιζειν,  
• cant something in the Favour of his Pretensions. And  
• who can be so vain, as even to dream of Property or Li-  
• berty under such a State? Who can hope for the Enjoy-  
• ment of a rightful Possession, while the Government itself  
• is but a splendid Robbery? — *Imperium Flagitio acqui-*  
• *tum nemo unquam bonis Artibus exercuit,* was an Observation  
of the wise Historian *Tacitus*. (Mr. *Nathaniel Alsop's* Sermon  
at *Leicester Ass.* 23 March, 1681. 4to. p. 13, 14.)

' Subjection and Prayers, till they had been  
 ' fully satisfy'd in the Rightful Title, and  
 ' Lawful Authority of their Princes; that is,  
 ' till they had examin'd and judged upon the  
 ' Rights, Titles, and Claims of the several  
 ' Pretenders; — which, in many Cases,  
 ' (you say) not one of a Thousand was capa-  
 ' ble to (b) do.' But methinks, Sir, any Man  
 of true *Christian Simplicity and Sincerity*,  
 would rather conclude it a great *Absurdity*  
*to suppose* the contrary. For when we confi-  
 der, that *Actual Governors* have it always in  
 their Power, to enforce their own *peremptory*  
 Commands by the Dread of temporal Pu-  
 nishments, there could not be any Occasion  
 at all, for the Apostle to superadd the Obli-  
 gation of *Conscience*, and the Penalty of *Dam-*  
*nation*, if he had meant no more by it, than  
 barely to press *Obedience and Subjection to all*  
*Actual Governors*, right or wrong, for the  
 Time being. And what could the new Con-  
 verts have thought of such Precepts, so con-  
 trary to the Moral Law, if they had under-  
 stood them, as you would persuade us, that  
 any audacious Rebel or Invader, who had  
 incurr'd the Penalty of *Damnation* for *Re-*  
*sistance* and Usurpation of another's Right,  
 was immediately, by Succession and Settle-  
 ment alone, to become the *irresistible Ordina-*  
*nance of God*, and as such to be *pray'd for and*  

C 4
obey'd,



*obey'd, not only for Wrath, but also for Conscience Sake? Or how would they have thought this Doctrine reconcilable with that other necessary Duty of Repentance and Restitution; or indeed with the whole System of the Christian Institution? But, after all, the Difficulty of being satisfy'd in the Rightful Title, is not so great as you represent it; especially in the Case of an Hereditary Kingdom, as is here suppos'd; where not one of a Thousand can be ignorant of the Right of Birth between the two Pretenders, unless it be his own Fault: For it does not require any great Capacity to examine and judge, which of them is next Heir of the Blood Royal. Every one knows, the Children of Great Princes are not brought into the World without a Number of Witnesses (and sometimes also their Depositions on Oath recorded) to put the Birth out of all Doubt: But, if there were no such authentic formal Proofs, you know very well, Sir, tis a Maxim in Law, (i) that the Parents Nomination and Acknowledgment of a Child, gives him a Right to all the*

(i) *Mascard*, the Civilian, teaches us, That 'Nominatio Parentum inducit Filiationem, & transfert Onus probandi in Adversarium; & constituit Nominatum in aliquali Possessione, donec Contrarium probetur.' (*Conclus.* 790, No. 9. *Rebus de Nom. Quæst.* j. L. n. 8.) And L. C. J. *Hobart* affirms, 'That even if a supposititious Child be acknowledg'd by those whom it concerns, the Consequences which follow of it, are as certain *ex Hypothesi, ex Concessis*, as if he were the true Child indeed. (*Colt and Glover's Case* against the Bishop of Lichfield. *Hobart's Reports*, fol. 146.)

*the Benefits and Privileges of their Child; so that even in Case of any Objection to his Legitimacy, the Burthen of the Proof is to lie upon the Adversary. Where then is the Difficulty of obtaining Satisfaction in the Rightful Title and Lawful Authority? Or what Absurdity is there in supposing Men oblig'd to do that which is so easy?*

Another Reason you urge against that strict Construction of the Text is, 2. ‘ That  
 ‘ upon this Supposition, Christians must  
 ‘ have been, in this Respect, in a worse Condition than they were in before, when this  
 ‘ was not a Matter of Conscience to them;  
 ‘ since it must unavoidably expose them to  
 ‘ the Resentment of the Higher Powers, and  
 ‘ the imminent Hazard of their Lives and  
 ‘ Fortunes, for the Rights and Titles of  
 ‘ Princes, which (you say) the Gospel nowhere requires of them, on that (k) Account.’ But surely, *the Gospel requires of them to render unto all Men their Due; and particularly, unto Cæsar the Things which are Cæsar’s. — And how is it possible for us to perform this Duty, according to these Gospel Precepts, without examining, or being fully satisfy’d what is their Due, and what Right (l) they have to it? — Which nevertheless*

(k) Page 3. (l) Bishop Burnet determines, ‘ That  
 ‘ if those who govern us do claim that which is not *theirs*,  
 ‘ and which either by the Laws of God, or by the express  
 ‘ Laws



theleis you are pleas'd to ridicule, as a *Thing absurd to suppose!* And yet, your own Father, whose *Papers* (as I have Reason to think them) *relating to the Oaths*, you have here thought fit to subjoin to your *Vindication*, has more ingenuously declar'd and fairly prov'd, ' That certainly neither Man nor Woman can swear lawfully, and with a good Conscience, what they do not understand, and are not satisfy'd (*m*) about.' And again, ' That if the Answers to the Queries do not satisfy and remove all Scruples about the Meaning and Matter of the Oaths, it ought to be refus'd, whatever may be the (*n*) Consequence.' And what *more absolute Necessity* there can be, for such *full Satisfaction and Conviction*, with respect to the *Oaths*, than to the *Prayers* in Question, I must leave to you to demonstrate at Leisure.— But you, it seems, would have Men to comply with both, *implicitly and without Reason!* For, as you well observe in another Place, ' He that has never examin'd, can have

no

' Laws of the Constitution, are declar'd not to belong to them, we are not bound to pay or render that, since it is *not at all theirs*, for that is all that we are bound to render to them.' (*Sermon 29 May, 1710 8vo. p. 4, 5.*) And Bishop Andrews, ' That it is first to be consider'd, whether he that commands be *Nobis Rex*: For every one is not a Ruler: The Robes qualify him not so far, but as he is *our King*, and no farther than *quatenus nobis imperat*, as he rules over us, or hath *Right* to command us.' (*Expos of the Commandments, fol. 336.*)

(*m*) Page 215, 216, & 223.

(*n*) Page 223.

‘ no just (o) Reason to do any thing.’ But when I pray you, Sir, was *this not a Matter of Conscience to them?*— Before their Conversion to Christianity? That is certainly a great Mistake. For whether they were *Jews* or *Gentiles*, they had the Law of Nature, if not the Law of God also, to direct their *Consciences*, and to teach them a dutiful and steadfast Adherence to their Natural and Rightful Sovereigns. — However, supposing *the Condition of Christians*, which you speak of, to be ever so *hazardous* on that Account, this Argument is so full of worldly Politics, more than of Christian Piety, that it is not fit to be insisted on by a Christian Casuist, in the Resolution of a Case of Conscience. — Were we to consult only with Flesh and Blood indeed, this Consideration of the *peremptory* Commands of Princes, their *Resentments*, and the *imminent Hazards* of our Non-compliance, would quickly determine the Question: But then, Sir, what becomes of the Evangelical Doctrine of the Cross; for the Practice of which there have been so many glorious Confessors in all Ages of the Christian Church, and especially in the primitive Times, when those Apostolical Injunctions were but newly receiv’d, and fresh in Memory? If it is not in Force in such Cases as this, where the Question turns upon a Point



Point of Moral Right and Justice, what better Subject are we like to have, for the Exercise of our Christian Patience and Fortitude, which are so highly recommended, and so earnestly press'd, by our Blessed Saviour himself, as well as by his Apostles? Or now, in Countries where the Gospel is receiv'd by public Authority, who can be better intitled to the promised *Blessing of suffering for Righteousness-sake*, and a good *Conscience*, than they who hazard (p) all they have in this World, rather than become *Partakers of other Men's Sins* and Immoralities? Besides, Sir, to teach that *Christians* not only lawfully may, but are also in *Duty* bound, to comply with all *Actual Governors*, without due Examination and Satisfaction; or any Distinction of their Titles, is such a Doctrine as owes its Patronage, if not its Rise, to one of the worst Sects now professing the Christian Name; and which the wisest and more honest Heathens were asham'd (q) of!

But,

(p) See the Note on p. 19. (q) Bishop Smalridge observes, ' That a wise and sober Heathen was wont to pronounce a solemn Curse against those, who first found out the unluckly Distinction between *Profitable* and *Honest*; and several, who had only the Light of Reason to guide them, have judg'd it extremely scandalous, not only to prefer Profit to Honesty, but even so much as to bring the Former into Competition with the Latter. But, some Persons, who call themselves *Christians*, and some, who have appropriated to themselves the Holy Name of *Jesus*, have thought it a plain Indication of Weakness and Folly,

to

But, 3. You say, ' This Distinction would  
 ' have defeated one main End for which the  
 ' Precepts were (r) given ;' viz. *to refute the*  
*Calumny* of those who charg'd the Christian  
 Religion with *Principles tending to Sedition*  
*and Rebellion*. For, you are pleas'd to ask,  
 ' How would this Calumny have been refut-  
 ' ed, if they had refus'd their Subjection and  
 ' Prayers, till they had examin'd, and were  
 ' satisfy'd of the Justice and the Right the  
 ' Higher Powers had to their (s) Obedience ?'  
 In my humble Opinion, Sir, that *Calumny*  
 was much better *refuted* by a conscientious  
 Adherence to Rightful and Lawful Titles,  
 according to the fundamental Constitution of  
 their Country, than by shewing a versatile  
 and Time-serving Disposition to comply with  
 every Change or Revolution of State, as  
 Things might take their Turn to be upper-  
 most, right or wrong. For, what Confide-  
 nce can any Prince have in, or Dependance  
 upon, the Loyalty of those Men, whose  
 declar'd

' to forego any thing which is greatly profitable, because  
 ' it is a little dishonest ; and have laughed at the *idle Scrup-*  
*les* of those, who have given themselves the *Trouble to en-*  
*quire*, Whether an Action be *lawful* or not, after it has  
 ' once appear'd expedient ! — That the shortest Ways to  
 ' an End are fittest to be chosen, be they never so foul ;  
 ' that the Appearance of Virtue is an Advantage, but the  
 ' Practice of it a Burden ; that Charity ought to begin at  
 ' home, and to end there too, are Maxims, which, tho' own'd  
 ' by few, are by many made the Measures of their Actions.

(Sermon 5 November 1705. 8vo. p. 10.)

(r) Page 8.

(s) Page 9.



declar'd Principle it is, that they will be faithful and bear true Allegiance to him, only *while he continues to govern them!* That is, while he is able to keep his Seat, and to oblige them to be subject! But, whenever he shall be *dispossess'd*, they shall no longer look upon him as intitled to their Allegiance and Prayers, but tranfer both to the next they shall find *actually settled* in his Place, with the Reins and Whip in his Hand! — A strange Way this, to remove the Suspensions of *Sedition and Rebellion*, and to gain the good Opinion of Princes! Whereas, 'tis natural for all generous Souls to have a greater Regard for a Person whom they find to be firm and steady in a fair Principle (however they may think him mistaken in it) than for those whom they perceive to be thus ready to turn with every Wind, or row with every Stream.

But, whereas you are pleas'd to proceed thus, ' Who made them Judges of these ' Things? The Christian Religion gave ' them no such Right or Authority, laid no ' such Obligation upon them, requir'd no ' such Thing at their (t) Hands; ' I might object to you the Absurdity of questioning the People's Right to *judge* of their Governor's Title and Authority, when the whole Scope of your Discourse supposes them to have

have a Right to *judge* of the Administration, and in what Cases they may resist and depose their undoubted Rightful Sovereign; which is much more difficult to make a true Judgment of, for as much as the Reasons of State, and the true Motives of a Sovereign's Councils and Actions, are not so easily understood as the Right and Title which he has to the Sovereignty. But, to come directly to the Point, I beg Leave to say, That whoever requires me to *pray for him, as my King*, does so far *make me a Judge*, whether he is the Person whom I ought to pray for under that Character or not: And the like may be said of *Swearing* to him, as I intimated before. For, in such solemn Acts and Offices as these, *the Christian Religion* has not only given us a *Right and Authority*, but also *requir'd* and *laid an Obligation upon* us, to *prove all Things*, and to examine and be well satisfy'd in the Matter, before we presume either to call upon Almighty God as a Witness in the one Case, or to invoke him as a Patron in the other: Whereas, on the contrary, to *pray*, or *swear*, *at a Venture*, *after Vows to make inquiry*, and to offer up solemn Prayers to God *with Wrath or Doubting*, have been generally censur'd, as contrary both to Christian and Moral Principles; and you will not deny, that we are expressly commanded to *flee all Appearance of Evil*. Nay, tho', both here and elsewhere, over and over again, you roundly affirm,

That



' That Christianity lays no such Obligation  
 ' upon them, nor binds the Consciences of  
 ' Believers to any such Regards;' yet you do  
 pretty fairly grant, that *Men may be under  
 other Obligations,* ' from the common Rights  
 ' of Mankind, from the Laws and Customs  
 ' of the Common-wealth and Society they  
 ' live in, or other accessory Ties, to examine  
 ' or contend for the Rights and Titles of (u)  
 ' Princes:' And, more plainly, in a *Paren-  
 thesis*, you say, ' Assertory Oaths, indeed,  
 ' about the Rights and Lawful Authority of  
 ' Princes, are another Case, and require far-  
 ' ther (x) Consideration.' But, how is this  
*another Case*, Sir? Or what *farther Conside-  
 ration* is there *requir'd*, for the *asserting on  
 Oath*, that our Actual Governor has *the Right  
 and Lawful Authority*, in Opposition to all  
 other Pretenders, than for solemnly *praying  
 for him as such*, and that *he may vanquish  
 and overcome them &c*? Is not praying to  
 God in a public Congregation, and that too  
 by a known stated Form, as solemn and de-  
 liberate an Act as *Swearing* by him in a  
 Court of Justice? Or can it *require farther  
 Consideration*, for once, to call God to Wit-  
 ness, that such a one is our Lawful and Right-  
 ful King and Governor, than daily to call  
 upon him to *prosper him as such*? For my  
 own Part, I can't see this to be *another Case*;  
 or

(u) Page 10.

(x) *Ibid.*

or what *farther Consideration* can be *requir'd* for the one than the other: And therefore I put them here together, as what to me seems equally to require due Consideration, Examination, and Satisfaction, before good Christians presume to do either. ' For, if ' Submission, Honour, Tribute and Prayers-- ' are due, and may be lawfully paid, to all ' who are in the actual Possession and Exercise of Power and Dominion,' — as you (a) affirm, there must be the same *Submission due*, with regard to *the Oaths*, as to *the Prayers*; they being both alike in that respect: And consequently, there must be as much *Consideration* and Satisfaction necessarily *requir'd*, for *Submission* to the one as to the other. 'Tis true, indeed, you add, ' That ' in this, as in other Things, it is possible, ' there may be no General Rule, which may ' not, in some Cases, admit of (b) Exception.' And, if so, what *Case* can be thought more reasonably to *admit of Exception*, than this here suppos'd, of a contested Title to an Hereditary Crown, between Possession on the one Hand, and Right on the other? But, be this as it will; if there be *other Obligations*, from the *Laws and Customs of the Society they live in*, or *whatever else*, to contend for the *Rights and Titles of Princes*, as you seem here to grant, then, surely, they can't be

D bound

(a) Page 10.

(b) *Ibid.*



bound in Duty to *pray for their actual Governors*, purely as such, *till they have examin'd, and are satisfy'd of the Right and Title* of those Governors whom they are requir'd to *pray for*. And this is still the more absolutely necessary in the Case here suppos'd; when they can't *pray for the Prosperity and Success* of the one, without praying for the *Confusion and Overthrow* of the other; and consequently, without Examination, may be unwarily engag'd, to pray to the God of Justice, for the Continuance and Protection of downright Injustice; than which nothing can be a greater (c) Abomination to him, or a more audacious Insult upon his Divine Attributes. You censure your Remarker, 'as mistaking the Nature and End of the Prayers commanded in the Text, and not  
' confi-

(c) Bishop Burnet, having enumerated several Particulars, to prove, that King James was such an *Usurper* as might lawfully be *resisted*, says, 'The Revolution — must be look'd on as a continued Usurpation to this Day, if these Principles are not true: All the Oaths taken to support it are so many solemn Perjuries, which are of no Force, unless built upon a just Foundation; and the Prayers we have been offering up, relating to it, are an impious Profanation of the Name of God, if that for which we bless God was unlawful!' (Sermon 5th November 1710. 2d Edition 8vo. p. 12.) And so also Doctor Rye says, 'Our Prayers would really dishonour God, if there were a Falshood in them, and we knew it to be a Falshood; or if we pray'd against plain Right in express Terms, or against a Prince we believ'd to be *rightful*: For, the former Prayers would shew, that we thought we could deceive God; and the Latter, that we thought God would favour Injustice!' (Treatise against the Nonjurors, 1719, in 8vo. Vol. ii. p. 395, 396.)

‘ considering the Reasons given for them in  
 ‘ the (d) Sermon.’ ’Tis true, as *Kings* and  
 other *Governors are Men*, we are undoubt-  
 edly to *pray* for them in general, because the  
 Text enjoins us to *pray for all Men*: But  
 they must be strangely *mistaken* indeed, who  
 can from thence conclude, that it must be  
*lawful, and a Duty* to pray for every *Actual*  
*Governor, as King*; and especially in such  
 Terms as those of the *English* Liturgy.

Again you say, ‘ Tho’ they may be wicked  
 ‘ Men, or unjust and criminal in the Pos-  
 ‘ session of Power, our Prayers for them  
 ‘ neither tend to commend the one, nor to  
 ‘ bless the (e) other.’ Now, I shall not deny,  
 that a very *wicked Man* may be the Subject  
 of the *Prayers* commanded in the Text;  
 even as *Nero* himself was ‘ at the Time  
 ‘ when St. *Paul* gave this (f) Precept.’ But,  
 for the making this the more intelligible to  
 ordinary Capacities, we ought to distinguish,  
 That a Rightful Prince, however personally  
*wicked*, or tyrannical in his Administration,  
 is to be view’d in one Light; and an Usurper,  
 however plausibly he may live and govern,  
 in another. This, Sir, you know very well,  
 is a common Distinction in the Schools, be-  
 tween *Tyrannus Administratione*, and *Tyran-*  
*nus Titulo*; the former being what we now  
 call a *Tyrant*, or wicked King, and the latter

D 2

an

(d) Page 11.

(e) *Ibid.*

(f) Page 12.



an *Usurper*, or unjust Possessor of Another's Right. Of the former Sort was *Nero*; who was, 'as to his Moral Character, the very 'worst of Men,' as you truly call (g) him: And yet this very *Nero* was *the Higher Power*, to whom St. *Paul* expressly commanded *every Soul to be subject for Conscience Sake*. But I can't by any Means agree with you, that he was of the latter Sort, an *Usurper*, till you can prove whose Right he unjustly possess'd, and who was the Pretender to that Right against him. This Instance therefore, of Subjection to, and praying for *Nero*, however strong and pertinent it may be, against those who *resist* and dethrone a Prince *vested with Lawful and Rightful Authority*, even supposing his Administration to have been wicked and tyrannical, can't pertinently be urg'd as an Argument for Subjection to, and praying for, any other Actual Governor, *not vested with Lawful and Rightful Authority.*

You affirm indeed, that *Nero* had no Authority, 'but what was deriv'd from Usurpation, tho' submitted to by the Senate and 'People, through Fear and (h) Force:' For, you say, 'What were *Julius Cæsar* and *Augustus* but Usurpers, tho' their Authority, 'through Fear or Force, was afterwards 'recogniz'd by the Senate and People? Or 'what Title to the Empire had the succeeding

(g) Page 12.

(h) *Ibid.*

ing Emperors, under whom these Precepts were all given, but what was owing to that first (i) Usurpation? With your good Leave, Sir, when *the Senate and People*, who had exercis'd the Supreme Power uninterrupted for many Ages, had *submitted* to, and *recogniz'd the Authority* of *Julius Cæsar* and *Augustus*, it is very extraordinary in you, to triumph as you do, with the Notion of their being *Usurpers*; yea, and *confessedly* (k) *Usurpers*! Could you have prov'd, That *the Senate* did not voluntarily abdicate their own Right, but asserted their Authority so long as they could; and that, when they found themselves borne down by the Influence of *Cæsar*, and his Partizans among them, they had, even then, after long and warm Debates, pass'd the *Abdication*, and their *Recognition* of *Cæsar*, by no greater Majority than that of one or two Voices, you had said somewhat more to the Purpose: And yet, even on that Supposition, you could not properly have prov'd *Cæsar* an *Usurper*, unless you could also have prov'd, that the *Senate and People* still continued to assert their proper Right, against him and his Successors. But, since neither *the Senate and People* did this, nor any other more Rightful Pretender ever did appear to claim a better Authority; surely, the Christian Subjects were not concern-

D 3 ed,

(i) Page 6.

(k) Page 20.



ed, in that Case, to be more solicitous than *the Roman Senate* themselves were, to scruple *the Authority* of the *Cæsars*, so recogniz'd by the Parties interested, whatever they might think of the secret Motives to that *Recognition*. And, as to the *Title* of the *Succeeding Emperors*, since it was founded on the Authority of the first *Cæsars*, so recogniz'd, and uninterrupted by any other Claim, it could not be fairly question'd; tho' mere Possession, where there is a better Right asserted, is indeed (1) no Title at all. But, after all, Sir, I must own to you, that I am not a little concern'd, to see a Gentleman of your Character following the old beaten Path of the baffled Pamphleteers, in pursuit of this stale and groundless Argument, when you cannot but know, how often and convincingly the Absurdity of it has been demonstrated; and particularly by the learned Dr. *Hickes*, in his yet unanswer'd, and perhaps unanswerable *Jovian*.

But now, since you are pleas'd to mention  
 ' the Prayers of the Church for a King and  
 ' Gover-

(1) ' Suppose any Man, by forcible Entry, gets *Possession*  
 ' of the Mannor-House, is he thereupon Lord of the Man-  
 ' nor; or has he a *Right* to the Rents of the Tenants? It  
 ' intitles him to nothing that I know of, but to be follow'd  
 ' by a Writ of *Ejectment*. For, the *Right* and the *Estate* are  
 ' for ever inseparable. For tho' the right Owner be not in the  
 ' Estate, yet the Estate is always in him.' (Mr. *Samuel Johnson's* Notes upon the *Phœnix* Edition of Bishop *Burnet's* Pastoral Letter, Part I. 1694. in 4to. p. 25.)

‘ Governor, tho’ wicked in his Morals, tho’  
 ‘ unjust and criminal in his Power and Do-  
 ‘ minion, tho’ he had murder’d the nearest  
 ‘ Heir, to come at the Crown, as some have  
 ‘ (m) done,’ it brings to mind the Case of  
 our *Richard III.* who was *Actual Governor*,  
 and at the same Time both a *Tyrant and*  
*Usurper*. He had murder’d his Nephews (the  
 young King *Edward V.* and his Brother) *the*  
*two nearest Heirs, to come at the Crown*; and  
 yet this execrable Parricide did not render  
 him properly an *Usurper*: So that, notwith-  
 standing this his *Wickedness*, he might have  
 been entitled to the Prayers of the Church,  
 as *King and Governor*, if there had not re-  
 mained any other *Heir, nearer to the Crown*  
 than himself. But, forasmuch as his Niece,  
 the Lady *Elizabeth*, was still in being, to  
 whom the Crown of Right descended, im-  
 mediately after the Death of those her two  
 Brothers, therefore was *Richard* an *Usurper*,  
 (to wit, of her Right;) and, as such, not in-  
 titled to those *Prayers*, or any Duty of Alle-  
 giance. For, taking it for granted, that he  
 look’d upon the Lady *Elizabeth* as his *Enemy*,  
 as he certainly did her two Brothers, (or else  
 why did he *murder* them?) and that he  
 would have sacrific’d her also to his Ambi-  
 tion, if once in his Power, for the same Rea-  
 son, by *murdering all the nearer Heirs, to come*

D 4

at



at the Crown; Could any good Man apply such Prayers to him, as those of our Church, that God would prosper, and strengthen him, that he might vanquish and overcome all his Enemies, &c. ? Or could any Man of common Sense understand the Force of such a Petition, if he did not think it tended to commend or bless the unjust and criminal Possession of the Usurper, and in effect to curse the right Heir, (n) by devoting her to Destruction. And yet, you, Sir, are pleas'd to deny all this, and to call it a *Mistaking the Nature and End of the Prayers!* &c. And, tho' you are pleas'd to say, ' That, being in Possession of that Dominion and Power, they are, for that Reason, intitled to our Prayers, and, both for their Sakes and our own, we are commanded to give (o) them;' one would think it more consistent with the Duty of a Christian Subject, and the Principles of the Church of *England*, so long famous (p) for

(n) Dr. Comber says, ' Whoever loves the Peace of the Church, doth heartily pray for the Flourishing of the Crown, because they live and grow together; and he that is a Friend to one, cannot be a Foe to the other. His Friends are our Friends, and his Enemies our Enemies. — If it be a Foreign Prince that opposeth our King, he is a Robber, and unjust, to invade his Neighbour's Rights: If he be a Subject who riseth against his Sovereign, he hath renounc'd Christianity with his Allegiance, and is to be esteem'd a Troubler of our Israel. Therefore, whoever they be, that are Enemies to the King, or whatsoever the Pretences be, we wish they may never prosper in that black Impiety of unjust Invasion, or Unchristian Rebellion!'

(Comp. to the Temple, 3d. Edition 8vo. 1679. Part i. p. 422.)

(o) Page 13.

(p) See the Note on p. 10.

for her distinguish'd Loyalty, to pray, that such unjust Possessors might repent, and make Restitution of what they have usurp'd, than to prosper and succeed in it; as your Remarker has well (q) observed.

But because he had apply'd this to the Case of *Pirates, Highwaymen*, and such like public *Robbers*, you endeavour to distinguish it from that of an Usurper, thus:  
 ' Pirates, Highwaymen, and public Robbers,  
 ' are Disturbers of Peace, Order, and Society;  
 ' Violaters of all Rights and Laws, and  
 ' public Enemies of Mankind: Every Act  
 ' of their Trade is an Act of Injustice,  
 ' Violence, and Oppression; their Trade it-  
 ' self (r) Wickedness &c.' But does not this seem to be a Distinction without a Difference? For, would not any one be apt to think the same also of Usurpers? And was not the petty Robber's Answer to *Alexander the Great*, (that he was *a great Robber*!) always thought to be pertinent and rational, inasmuch as *Alexander* was an ambitious Invader and Usurper of other Princes Dominions? No! you say, ' Between these two, ' Governors and public Robbers, there can ' be no Comparison, but what is truly odious; ' and the Objection is frivolous, and foreign to ' the (s) Purpose.' 'Tis true, between Rightful Governors and such *Robbers* as are here  
 menti-

(q) Page 13.

(r) Page 14.

(s) Page 15.



mention'd, *there can be no Comparison but what is truly odious*: But between some *Actual Governors*, (such as are suppos'd in the Case here put) and those other *Robbers*, there may be as just a Comparison, as can be between great Robbers and little ones; between him who forcibly or unfairly takes a Crown, and him who steals an ordinary Cap. You say, indeed, of *Robbers*, 'That, as they  
' are the Enemies of Mankind, it is every  
' Man's Duty to oppose them, if able; it is  
' lawful to kill them, as Beasts of Prey, that  
' do great Mischief to the Country; and in  
' all Ages and Nations, it has been accounted  
' a glorious Action to destroy them, because  
' it is a public (*t*) Benefit.' And, it would be no hard Task to prove the same, as to *Usurpers* also, from celebrated Casuists in all Ages and Nations: But, tho' I should be extremely averse to the having my Hand employ'd in the Destruction of either; and consequently, in sending them headlong to Hell, without Space for Repentance; yet, I frankly own my Opinion, that you may as easily prove it *lawful, and a Duty*, to aid, assist, and pray for the Prosperity and Success of the one, as the other of them.

As to what you have quoted on this Subject (*u*) from Dr. *Falkner*, I can't perceive that it makes any thing to your Purpose. For,  
accord-

according to his Reasoning, ‘ As he is properly a *Traveller* who goeth upon his allowable or ordinary Occasions;’ so is he properly a *Governor*, who keeps within the proper Bounds of his allowable and ordinary Jurisdiction, and doth not invade or encroach upon that of others. And again, as he observes, ‘ If the meanest Man in the Country should hear of an Act of Parliament, for securing the safe Passage of all Travellers, he would never thence conclude, that they intended to provide for the Safety of Robbers, Highwaymen, and Traitors, who are the great Disturbers of (x) Safety.’ Even so, we may suppose, when he hears of this Apostolical Injunction, to *pray for Kings, and all that are in Authority*, he would never thence conclude, that the Apostle intended to oblige all Christians to join in solemn Prayers to God for the Safety and Protection of *Traytors*, Rebels, and Usurpers, whose Rise and Success is an outrageous Insult upon, and open Violation of all *Authority*. And tho’ St. Paul commands, that *Prayer be made for all Men* (which Expression is as general and indefinite as any of the rest (y)); yet, the utmost that Dr. *Falkner* here supposes allowable to be pray’d for, in behalf of *Traitors and Robbers*, is, ‘ That God would preserve them from farther Sin, and so keep them, that



‘ that they may have Time and Grace for  
 ‘ Repentance; and that thereby they may  
 ‘ be preserved from eternal (z) Destruction.’  
 And how Usurpers can reasonably, according  
 to this learned Author’s Judgment, be enti-  
 tled to more than this, is hard to prove ; un-  
 less we should grant, that their Success alone  
 alters the Nature of Things, so that what  
 would otherwise have been plain Treason  
 and Robbery, becomes thereby just, laudable,  
 and authoritative; which may be a good  
*Mahometan* Argument indeed, but is contrary  
 to *Christian* Doctrine. Much less therefore  
 can it be a Duty, or even lawful, in such a  
 Case as we have here suppos’d, for Christians  
 to pray for their *de Facto*, or *Actual Governor*,  
 in such Terms as these of our *English* Litur-  
 gy, (supposing them to have such a one) *viz.*  
 acknowledging him to be their *Sovereign*  
*Lord and King*; most humbly beseeching  
 God to *strengthen him, that he may vanquish*  
*and overcome all his Enemies*, and to *give him*  
*the Victory over all his Enemies*, &c. while  
 they believe, or have any Reason to doubt,  
 that the other Competitor, whom he looks  
 upon as his *Enemy*, is, *de Jure*, their *Sove-*  
*reign Lord and King*, (a) unjustly dispossest’d  
 of his Right; or acknowledging the Posses-  
 sor as *God’s chosen Servant and Minister*, and  
 to *have his Authority* over them, &c. without  
 any

(z) Page 16.

(a) See the Note on p 13.

any exprefs Revelation from God, and even while the Event itſelf is yet doubtful! And yet all this, and much more of the ſame kind, how abſurd, immoral, or impious ſoever, muſt be lawful and neceſſary, if the Apoſtolic Injunction, to *pray for Kings, and all that are in Authority*, be extended to all *Actual Governors*, without Diſtinction of their Titles, right or wrong! So that, tho' you are pleas'd to call theſe ' The Arguments ' of ſuch as are diſſatisfy'd with the preſent ' Government in this (b) Country,' and to cry out, ' That Prejudices and falſe Principles ' do ſo blind the Men, that they cannot perceive nor underſtand the plainest and clearest (c) Truths;' you muſt give me leave to ſay, you put the Iſſue upon a very dangerous Proof: Since 'tis evident to Men of moſt unqueſtionable Affection to the preſent Government, that you have not duly conſider'd, how improper a Method you have taken, towards removing thoſe *Diſſatisfactions* and *Prejudices*, when you ſeem to *vindicate the Lawfulneſs and Duty of praying for our preſent King and Governor*, upon ſuch *falſe*, or precarious, *Principles*, as are properly applicable to uſurped Powers, but not ſo to ſuch as are indeed *veſted with a Lawful and Rightful Authority*! However, ſince you ſeem to lay ſo much weight upon the Judgment of  
that



that *Reverend Author*, Dr. *Falkner*, I heartily recommend to your own, as well as to every other Reader's serious Consideration, what he has written of *Christian Loyalty*; and particularly that Part of it, *Book ii.* which asserts *the Unlawfulness of Subjects taking Arms against their King*: And if you are not thereby prevail'd with to *retract* many of the Principles and Inferences you have so warmly insisted on in this your *Vindication*, I dare say, all who peruse it, without Prejudice, will find good Reason why you ought to do so. But, because that excellent Treatise is not so commonly handed about as it deserves to be, I have hereunto subjoin'd some few short Extracts, in the APPENDIX, N<sup>o</sup>. I. to which I refer you.

You say, *The Design of Government* is,  
 ' To keep Men in Peace, Order, and Righte-  
 ' ousness; to repress and punish all Acts of  
 ' Violence, Injustice, and (d) Robbery.' And  
 again, you call ' Peace, Godliness, and Ho-  
 ' nesty, the chief Blessings of human Socie-  
 ' ty;' — and ' the very End of (e) Govern-  
 ' ment.' But, whereas you say, ' These, in  
 ' a great Measure, depend on the good or  
 ' bad Exercise of Power and Dominion,  
 ' whatever the Person's Title be who has it;' and add, in a Parenthesis, ' That makes not  
 ' the least Alteration in the Case, as to the  
 ' End

(d) Page 14.

(e) Page 18.

‘ End of Government, or the Good and  
 ‘ Welfare of the (f) Governed ;’ I beg  
 Leave to think the contrary: I mean, that  
 the Person’s having a *Title*, or not having it,  
 makes a great *Alteration* in the Case: Because,  
 unless the Person who exerciseth the Domi-  
 nion has a good *Title* to it, no firm and last-  
 ing *Peace* can be reasonably expected, as I  
 observed before; and as to *Godliness and Ho-  
 nesty*, you own, ‘ They are what we our-  
 ‘ selves must (g) practise:’ And indeed it  
 would be more tolerable living under usurped  
 Powers, if Men were permitted so to do,  
 without Interruption! — But how, I pray  
 you, Sir, is it consistent with your good Sense,  
 to think, that *all Acts of Violence, Injustice,  
 and Robbery*, are likely to be *punish’d* by those  
 who hold their own Power and Dominion  
 by those very Means, and cannot expect to  
 stand their Ground, if *all Acts* of Violence,  
 Injustice, and Robbery, were indifferently and  
 effectually *punish’d*? As to *Order*, tis as evi-  
 dent as any Proposition in *Euclid*, that That  
 cannot be *kept*, when there is such a *Revolu-  
 tion* as sets up the Heels above the Head, as  
 in the Case of successful Rebellions; or placeth  
 a Head upon the Body which does not na-  
 turally belong to it, as in that of foreign In-  
 vasions and Usurpations; both which are an  
 Inversion or Destruction of Foundations:  
 And,



And, as to *Righteousness*, you know who has said, *If the Foundations (b) be destroy'd, what can the Righteous do?* Since therefore, on all these Accounts, Usurpation must be inconsistent with *the very End and Design of Government*, according to your own Concession, I should think it more reasonable to conclude, contrary to you, ' That if *Prayers for our*  
' *Governors*, as such, wholly respect the End  
' of Government, and the Good of God's  
' (i) People,' as you say, it must necessarily follow, that we are bound to pray for Rightful Governors only, under whom those blessed Ends of Government are most rationally to be expected.

You reflect upon your Remarker, (k) as if he were ' Not sensible of the Difference  
' between *Government* and *Governors*, and  
' could not distinguish between the Office  
' itself, and those that *exercise* it; between  
' the *End* of Dominion and Power, and the  
' *perverting* that End.' But to me he seems so *sensibly* to have *distinguish'd* these, that he has produc'd Authority to prove, ' That  
' Government, taken in general, is indeed  
' from God, but so is not every Governor;  
' as you yourself have quoted (l) him. Whereas you have laid yourself more open to the same Censure; whose Arguments, throughout this whole Treatise, plainly tend to persuade the  
Reader,

(b) *Psalms* xi. 3. (i) Page 19. (k) Page 20. (l) Page 93.

Reader, that all *actual* *Governors*, as well as *Government* itself, are from God! 'Tis true indeed, you distinguish, pretty freely, *between the End of Dominion and Power, and the perverting that End*: But the Use you make of that Distinction, is generally to the Dishonour of Rightful Princes; as if they were as wicked as the most notorious Usurpers!

Now, Sir, admitting what you say of Godliness and Honesty, 'That under the violent and unrighteous Administration of a wicked Prince, tho' his Title to the Crown be ever so good, they may prove both dangerous and (a) destructive;' yet, under Usurpers, they can hardly ever escape *Danger and Destruction*, as being utterly inconsistent with the Principles and Practices to which they owe their Advancement and Support: For, whatever you may say of *their Duty*, you will never convince any such, that it is *their Interest*, to encourage and maintain Godliness and (b) Honesty, so long as they persist in their Usurpation.

You seem to think, the Remarker unintelligible, where he useth this Expression, 'To pray for Godliness (c) and Honesty;' because we are not enjoined to pray for Godliness and Honesty, but for Kings, and all in Authority, that under them we may lead quiet and peaceable Lives, in all Godliness and

E

' Honef-

(a) Page 22.

(b) Page 19.

(c) Page 21.



‘ (d) *Honesty*.’ But, since *Godliness and Honesty* is a principal End of *praying for Kings*, the honest and plain Reader will much sooner understand the Remarkers’s *Sense* in that Expression, than your *Reason* for proposing the same End in praying for Usurpers.

As to the Case of *Manasseh*, which you exemplify, his Government was indeed notoriously *violent and (e) unrighteous*: But your Reader must take Notice, that tho’ his *Wickedness* was worse, both for open *Idolatry* and cruel *Tyranny*, than the very (f) *Heathens*; yet his Subjects never resisted him, but left him to *God, the only Ruler of Princes*; who punish’d him with a Captivity in *Babylon*: Nor, even then, did his People presume to fill *his Throne, as vacant*, notwithstanding such a remarkable Interposition of *Providence* to remove and dispossess him, but dutifully adher’d to him still as their *King and Governor*: For which their exemplary Loyalty, it pleased God to restore him to enjoy his own again, with his *Heart* so happily *turn’d*, that he afterwards became a greater Blessing to them by his Repentance and Reformation, than he had before been a Scourge to them by his outrageous Wickedness and Impiety. All which, if duly consider’d, will sufficiently confute the strongest of your Arguments and Inferences here, in Relation to  
God’s

(d) Page 22.

(e) Page 20.

(f) 2. *Kings* xxi. & 2. *Chronicles* xxxiii.

God's Government of the World, and his providential Ways of disposing of Kingdoms; in which, however, some People (you know) have not been content to trust him!

But it seems to be a Maxim with you, That *the Thrones of Princes are establish'd* ' in the Righteousness of their Actions and ' just Exercise of their Power; and depend ' no more upon their Titles, than upon their ' Purple (g) Robes.' But, where you will find a good Warrant for that Interpretation of the sacred Text, I own myself yet to learn. According to your Notion, if *Oliver Cromwell* had taken the Title of King, as he was about to do, *his Throne* might have been *establish'd in the Righteousness of his Actions, and the just Exercise of his Power*, between Subject and Subject, without any Regard to our undoubted Rightful *King and Governor*, then in Exile, attainted and abjur'd; and the good People of *England* must have been bound in Duty to pray to God to prosper their gracious King *Oliver*! Nay, moreover, to pray for King *Charles*, as their *King and Governor*, had been not only *unlawful*, according to the Interpretation of Law in those Times, but even absurd in itself!

For thus you argue, ' That we cannot ' pray for one, as Governor, who is really ' not so; and that it is absurd to pray for

E 2

' any



‘ any one, as King and Governor, who is  
 ‘ not King and (b) Governor.’ Which is so  
 far undeniably true. — But, when you  
 come to explain what you mean by the being  
*really* Governor, you expressly affirm, ‘ That  
 ‘ the Prayers for the King and the Govern-  
 ‘ ment, must certainly be for those in whose  
 ‘ Hands the Government is (i):’ Nay, more  
 particularly, you pronounce, that King  
*Charles* II. during his Banishment, ‘ was not  
 ‘ King, but in Name only!’ — ‘ That  
 ‘ No-body can say, that he was all that Time  
 ‘ (k) Governor!’ — And consequently,  
 ‘ That he could not be pray’d for as (l)  
 ‘ such!’

I have often observ’d, that a Man who  
 reads much of our Modern Controversies,  
 has need of a great Command of Temper;  
 and I am sorry to find, that even this Per-  
 formance has confirm’d the Truth of that  
 Observation. Excuse me therefore, Sir, if I  
 cannot forbear to express my Astonishment  
 at such kind of Arguing, or Reasoning (call  
 it what you will) as I have now before me,  
 to prop up a precarious Hypothesis.

What! Was our King *Charles* II. during  
 his Banishment, *not King, but in Name only!*  
 Who then, I pray you, was our King? If  
 you say we had not any King at all, during  
 those Years of his being forc’d to live abroad,  
 you

you run foul upon the Absurdity of an *Interregnum*, which is inconsistent with the very Nature of an Hereditary Monarchy, such as you acknowledge this of ours to be<sup>(m)</sup>: And, if we had one, as tis certain we had, it must be either King *Charles*, or King *Oliver*! The latter of them indeed seems to be intitled to your Suffrage, so long as he *had the Government actually in his Hands*. And yet you acknowledge, that the former (even that exil'd, attainted, proscrib'd and abjur'd Pretender, *Charles II.*) 'had an undoubted Right 'to the Crown and Government, even in 'his<sup>(n)</sup> Banishment.' How then is it, I pray you, Sir, that he was *not King, but in Name only*? Does not this sound more like a *Contradiction*, than any of those you have charged upon your Remarker? At least, I am sure, you have herein flatly contradicted the Recognition of *both Houses* of the Loyal Convention, which restor'd him, declaring, that *his Right and Title was every* <sup>(o)</sup> *way completed by the Death of his Father*. For, according to their Sense and Judgment, he was all that while, *undoubtedly*, our King and Governor, not in Name only, but *completely, and every way*, by Virtue of his *inherent Right*, as *next Heir of the Blood Royal*. Nor is your Conclusion less exceptionable, that *he could not be pray'd for*, as our *King and Governor*,

E 3

(m) Page 52. (n) Page 25. (o) See the *Appendix*. No. ii.



vernor, when you plainly admit that he *had an undoubted Right to the Crown and Government*: For you know, ‘ it is illogical, and ‘ against Reason, first to grant the Premisses, ‘ and then deny the (p) Conclusion.’ Unless you would persuade us, that it is *absurd to pray for* any one under such a Title as he has confessedly *an undoubted Right* to!

You acknowledge also, ‘ That King ‘ Charles I. was King and Governor, in the ‘ Eye of the Law, and with respect to the ‘ Sovereign’s Duty, even while he was a Prisoner in his own (q) Kingdom.’ And so he was undoubtedly, even upon the Scaffold, to the last Moment of his Life. But then, why do you not admit his Son and Heir to have been the same, from the Moment of his Father’s Death? Especially when you grant, ‘ that in the Eye of the Law the King never ‘ (r) dies.’ Why truly, because he was *dispossess’d*. For, to you it seems *a Thing in a Manner self-evident*, ‘ That the most Rightful King, if dispossess’d of the Government, is plainly no longer our (s) Governor.’ One would think King Charles I. was as effectually *dispossess’d of the Government*, when he was not only a close Prisoner in the Power of his Enemies, but they had also, under the Name and Appearance of a *Parliament*, resolv’d to make *no more Addresses* to him, but

(p) Page 47.    (q) Page 25.    (r) *Ibid.*    (s) Page 26.

but to put him to Death as a Traytor: And yet, you are pleas'd to own him still to have been *King and Governor*. And tho' you will not own his Son and Heir under the same Characters, you must give me leave to put you in Mind, That the Law of the Land (which you seem to build so much upon in some other Cases) (t) is expressly against you; and in this very Case, adjudg'd, that he

E 4

was,

(t) In the 4th. Year of King *Edward III.* *Roger Mortimer*, Earl of *March*, was condemn'd and executed, as a *Traytor*, for the Murder of King *Edward II.* his *King and Leige Lord*, even after the said King was not only *dispossess'd*, but formally depos'd, and his Son *Edward III.* actually possessed of the Crown and Government; as is fully prov'd by the Parliament-Rolls, and other Authorities. (*Prynne's Plea for the Peers*, 1658, in 4to. p. 275. 460. & 479.) And in the Parliament 21. *Richard II.* the Revocation of the Act for the two *Spencers* Restitution, in the Parliament 1. *Edward III.* was repeal'd, 'because made at such Time by King *Edward III.* as *Edward II.* his Father, being Very King, 'was living and imprison'd; so that he could not resist the 'same.' (*Ibid.* p. 460.) It is also resolv'd, both by our Statutes, Judges, Lawyers, over and over, ——— 'That 'so soon as the rightful Hereditary King dies, the Crown 'and Realm immediately descend unto, and are actually 'vested in the Person and Possession of the Right Heir, before 'either he be actually proclaim'd or crown'd King: And 'that it is High Treason, to attempt any thing against his 'Person or Royal Authority before his Coronation, because 'he is both King *de Jure*, and *de Facto* too.' (*Ibid.* 485.) Accordingly, in the Case of the *Regicides*, it was resolv'd, that the Indictment for the King's Murder should conclude, *Contra Pacem nuper Domini Regis, Coron. & Dignitat. suas; nec non contra Pacem Domini Regis nunc, Coron. & Dignitat. suas*: And it was likewise agreed, that tho' King *Charles II.* was *de Facto* kept out of the Exercise of the Kingly Office by Traytors and Rebels, yet he was King both *de Facto* and *de Jure*. (*Kelyng's Reports*, fol. 11. 15.)



was, all that while, *really our King and Governor*, as well *de Facto* as *de Jure*: And accordingly *Oliver* himself, your *Actual Governor*, as well as many of his wicked Agents and bloody Instruments, were fairly and solemnly attainted of High Treason, by a Parliament truly and properly so call'd; not such a Convention of rebellious *Miscreants* as those were, who thirsted for the Blood of their Sovereign, that they might make a Prey of his *Inheritance*! Can there be any Reason then to believe, that, in the Judgment of our Law, and of the Legislators themselves (those very Legislators who gave the last solemn Temporal Sanction to the then review'd *English Liturgy*) it could be *absurd* to apply to King *Charles II.* those Prayers for *our King and Governor*, as you represent it? No, Sir. It was universally agreed to have been their *Duty*: And accordingly, such of the Clergy, as had so done their Duty, at all Hazards, notwithstanding the pretended *Laws* to the contrary, have been ever since look'd upon and consider'd as glorious Confessors, by all who best understood, and most sincerely adher'd to the Principles of the Church of *England*.

Whether they were wont in those Days to *name* the King when they pray'd for him, I can't certainly affirm. But this we may venture to conclude, That if any of them did name any King or Governor in their Prayers,

Prayers, it was King *Charles*; whom alone they truly and honestly acknowledg'd to be the King and Governor, notwithstanding they saw the Usurper *Oliver* actually possess'd of the Exercise of Sovereignty, and in full Possession of the Government. And yet, according to your Principles here asserted, those pious, learned, and venerable Confessors, were all utterly ignorant of their Duty! For these are your own Words: ' When the War is at an End, Peace restor'd, and the Government in some sort settled, tho' an Usurper, a *Cromwell*, should then step into the Throne in Prejudice of another's Right, Mr. C. acknowledges, he cannot see but that That Person, as our Governor, is to be pray'd for; because he does not see, that the Higher Powers are to be excluded our Prayers, even tho' they be (u) Usurpers.' Your *Reasons for this extraordinary Opinion* shall be consider'd hereafter. In the meantime, I beg Leave to observe to you, Sir, that, whether they nam'd the Person they pray'd for, or not, they were plainly of an Opinion contrary to yours. For in their Use of the *English* Liturgy, 'tis certain they never pray'd for *Oliver* as being their *Actual* Governor. And yet, they could not but see, that, according to your Notion, *the War was at an End, Peace restor'd, and the Government in some*  
*sort*



*sort settled.* But, forasmuch as they saw *an Usurper in the Throne, in Prejudice of another's Right*, they judged it their Duty to pray for him whose *Right* it was, and not for him who had so got the Possession. We all know the Truth of your own Observation, 'That in such troublesome and iniquitous Times, Men must do the best they can, but cannot always do what they would. -- There are Times when neither Law nor Rules can be (x) observ'd.' And therefore tis probable indeed, that those *prudent Men*, in that *evil Time*, not being at Liberty, without the utmost Hazard, to *observe* the very Letter of the *Law and Rules* for reading the Liturgy, might so far *keep Silence*, according to the Text you have there (y) cited, as to forbear to *name* their King or Governor. But perhaps you will say, if in so doing, they *did not intend and apply those Prayers* to their then Actual Governor, *and all in Authority under him, tho' they did not name him*, 'they were all vain Words, and an empty Sound; in that Case they *pray'd* for No-body, and for (z) Nothing!' For this is your own Censure upon some, who, it seems, do not now *name* the King when they pray for him; on a Supposition that they 'do not intend and apply those Prayers to King (a) George.' Upon which, tho' I am not so mad

(x) Page 25. (y) *Amos* v. 13. (z) Page 24. (a) *Ibid.*

mad as to make any Parallel between these two Cases; yet, I cannot but think, your Manner of treating this Subject is apparently expos'd to divers Objections, which may be worthy of your farther and more serious Consideration. For, 1. Is *the King* to be thought *No-body*, and the praying for him *Nothing*, unless he is particularly *nam'd* in those Prayers? 2. Is not the common Suffrage, at the End of all Proclamations, only *God save the King*, without naming him? And is that understood to be *Nothing*, but *vain Words*, and *an empty Sound*? If so, how can the Judges, or even the Legislators themselves, escape your Reflection, for not having authoriz'd a more expressive and significant Form? 3. If such a Form is understood to be sufficient in the solemn Proceedings among Men, can it be less so in their Addresses to God? For he certainly knows who is *the King*, without being told his *Name*; and, if he is pleas'd to bless him, will do it as effectually as if he were expressly *nam'd* in their Prayers. 4. It seems hardly consistent with Christian Charity to suppose, that he who prays for *the King*, does not intend and apply those Prayers to him who really is the King. And moreover, 5. To start an Objection against such Prayers, may be deem'd an Insinuation, as if it were doubtful, whether the Prince actually reigning, is *really the King*; or whether there is some other more properly to be pray'd for

as



as such. So that upon the whole, whatever those who *do not name the King* in their Prayers may have to say in Defence of their Practice, you will probably find yourself disappointed of convincing their Judgment by such your Arguments; and may possibly meet with slow Returns of Thanks from others also, for starting such unseasonable Objections.

It is no less uneasy to me, than it will, I fear, be displeasing to you, that I dwell so long upon this Point: But, since you have heap'd so much of that Kind in my Way, I can't proceed without fairly endeavouring to remove it. — You call it *a Thing in a manner self-evident*, 'That the most Rightful King, if dispossest'd of the Government, is plainly no longer our Governor;' and consequently *not to be pray'd for*, in the Terms of the *English Liturgy* (b) *as such*. But now, supposing that some of your Neighbours (whether your own Relations or not, 'tis all one, unless for the greater Aggravation) had by Force or Artifice made an Entry upon your House, seduc'd some of your Family, and overpower'd the rest, and in short, had utterly *dispossest'd* you, and shut your own Doors against you; Would it not, in like manner, be *self-evident*, that you are therefore *plainly no longer* Master of the House, because  
you

you are *dispossess'd*, and do not actually govern it? Be pleas'd, Sir, to lay your Hand upon your Heart, and consider this coolly: And then oblige the World with your Resolution of this single Question, Whether you think in your Conscience, that any one could fairly *vindicate the Lawfulness and Duty* of your Children and Servants, not only resisting you themselves, but *praying for the present* Master of the House, in Opposition to you who *have an undoubted Right* to it? — I put the Case to you thus, the rather because, as you observe, in Disputes about Matters of Government, as well as of Religion, 'Men  
' of all Sides have pretended Conscience, to  
' which Passion, Prejudice, and false Principles, more than Truth and Reason, have  
' too often given the (c) Direction;' to which you add a heavy Complaint of *the Obstinate*, whom no Man can hope to *convince*, *were his Reasons as clear as the (d) Sun!* The Truth of this your Observation I am so far from disputing, that the more I read of this kind, the more I am convinc'd of it. But then, I can't but wonder also the more, that a Gentleman of your Learning and Experience (to make bold with your own Phrase) should *be so vain, as to imagine, that you can convince* such Men with these *Reasons*, which, even to me, your Friend, do not seem to be quite

(c) Page 27.

(d) *Ibid*



quite so *clear as the Sun* ! But when you are pleas'd to answer the Query, as I have taken the friendly Freedom here to put it to you, I am charitably perswaded, that *Passion, Prejudice, and false Principles*, will soon give way to *Truth and Reason*.

In the mean time you own, That ' the  
 ' Event or Success does not always declare  
 ' the Right and Justice of the Cause, nor ex-  
 ' tinguish the Claim of other (e) Pretenders.'  
 And how then can we know when it does so, and when not? For, on this Concession, there is no Regard at all to be had to the *Event or Success*. Yes, you say, ' It certainly deter-  
 ' mines the Possession, and secures the Power  
 ' and (f) Dominion.' But, Sir, how can *the Possession* be *certainly determin'd*, while the Right is controverted, and a Suit depending? Or how can *the Power and Dominion* be said to be *secur'd* to the *Possessor* by *the Event or Success*, before the Suit is quite determin'd? No otherwise surely, than the intruding Possessor of your House, (in the Case last suppos'd) can be *secur'd* in the Mastership and Government thereof, tho' he knows not how soon he may, by a legal Determination, be forc'd to quit his ill-gotten Power and Dominion, and be justly punish'd for his Usurpation of it. You say indeed, very truly, ' The  
 ' quiet and peaceable Possession of Power  
 ' and

(e) Page 27.

(f) *Ibid.*

‘ and Dominion, the Dispute ended, determines the Subjects Acknowledgment and (g) Submission.’ But to conclude from thence, that *the Subjects Acknowledgment and Submission is determin’d*, while the *Possession* is not *quiet and peacable*, and before *the Dispute is ended*, is what you would be far from allowing, in a Disputant of the lowest Form in the Logic-Schools! And to talk of *Events and Success, Determination and Security, Quiet and peacable Possession*, and *Disputes ended*, while an Appeal to the Supreme Court is still depending, and the Event and Success lies absolutely in the Breast of a Judge, who has not yet declar’d his final Sentence, is plainly to beg the Question, and presumptuously to pronounce without Authority! Neither is it true, ‘ that the Possession and Acknowledgment determine the Person for whom we are to pray as our King and (b) Governor.’ They *determine the Person* indeed, who has it in his Power to punish and persecute those who scruple to comply with his Commands, how arbitrary or unreasonable soever: But they do not in the least *determine* either the Right on the one Side to command, or the Duty on the other to obey. — You may possibly find Arguments of this Kind, to prove to you *the Benefit of praying for all Actual Governors*; but, however easy you may

(g) Page 27.

(b) *Ibid.*



may think it, you must strain them very hard, to convince any Man's scrupulous Conscience, of the *Lawfulness and Duty* of so doing. For tho' you are pleas'd to say, ' Let him ' keep his Conscience clear as to the Righteousness of his own Actions, and it need ' never be troubled about the Righteousness of his Prince's Title; for that no way concerns him, but the Prince himself; his Conscience must answer for that, and not the ' (i) Subject's.' Yet, surely, he can never think himself quite *unconcern'd*, in such a Case as is here suppos'd, while he is call'd upon to make himself a Party, by such solemn Acts as Oaths or Prayers: And, if he shall be so ill-advis'd in the Question, as to partake with the wrong Side (which he runs the utmost Hazard of doing, if he follows your Advice, *not to trouble* himself about the Merits of the Cause) I hope, you will not deny, that, in so doing, he must *answer for that*, as well as the *other*, whose unrighteous Cause he asserts, and whose *Sins* he is so far a *Partaker of*.

You are very angry with your Remarker, for saying that your ' Scheme, at Bottom, tho' ' gilded over in other Words, is, That Possession gives Right, and that Right without ' Possession is good for (k) Nothing.' This you call a *Mistake*, and *putting false Colours upon*

(i) Page 27 &amp; 28.

(k) Page 28.

*upon Things!* And, in order to *set them in a true Light*, you grant, 1. ‘ That if those ‘ Words had been found in the Sermon, or ‘ any Sentence equivalent to it, or which did ‘ fairly infer it, the Charge had been (a) just.’ Now, whether your *Sermon* had any thing to warrant this Charge, or not, I am not concern’d to enquire. But surely, your Remarker had, at least, a good guess at your *Scheme*; since, whatever was *at the Bottom* there, we find it here come up to the Top, and boiling over. Instances are so numerous, almost in every Page of this your *Vindication*, of *Sentences equivalent* to what is here *charg’d*, or such as must be understood *fairly to infer it*, that I need not point them out to the Reader. Some of these I have already taken Notice of; and others will fall in my Way as I proceed. However, I may observe here, once for all, that I do not meet with any thing material of that kind, but what has formerly been substantially confuted; and particularly in the several Answers to Dr. *Sherlock*, and Dr. *Higden*, &c. whose Steps you are nevertheless content to follow in the same worn-out Path. 2. You say, ‘ The Subject of the Sermon was not ‘ concerning the Rights of Princes at (b) all.’ And the same may be said of this *Vindication* of it also, in some Sense; because it does

F

not

(a) Page 29.

(b) *Ibid.*



not seem to have regard to any other *Rights* but that of mere *Possession*, or *actual Government*, which in Truth is *no Right at all*.  
 3. You say, ' The Right or Title which any Person has to a Crown, and the Right which the Possessor of that Crown has to the Subjects Duty, are two distinct (c) Things.' But what *Right* has any Possessor of a Crown *to the Subjects Duty*, other than by Virtue of the Right or Title which he has *to the Crown* itself? Few of your Readers are so well acquainted with Metaphysical Subtleties, as to think these to be *different Subjects* or distinct Things: And therefore they will generally take it for a *just Inference*, that he who has not a *Right to the Crown*, cannot have a *Right to the Subjects Duty*; and may be apt to think, that to insinuate as if meer *Possession* gave a Right, may one Time or other, open a Way to infer a Right to the Crown in the Person who actually keeps it in the Tower, or even in *Blood* who stole it from thence! You observe indeed, ' that with the first of these Rights, viz. That of any Person to a Crown, neither the Gospel in general, nor St. *Paul* in particular, ever (d) meddle:' And elsewhere, ' that the Gospel neither enlarges nor diminishes any Superior's Power; neither adds to, nor takes away from any Inferi-  
 ' or's

(c) Page 29.

(d) *Ibid.*

or's Right: In these Cases it only confirms  
 and explains the Obligations of Nature,  
 and inforces the Practice of the respective  
 Duties with stronger and more powerful  
 (e) Motives.' But now, where you affirm,  
 that the last of them, viz. The Right  
 which the Possessor has to the Subjects  
 Duty, they (that is, the Gospel in general,  
 and St. Paul in particular) fully assert, and  
 bind upon all (f) Christians; it cannot be  
 true, that they assert and enjoin a Duty to  
 mere Possession alone, without any other Right  
 or Title; which would be a manifest Altera-  
 tion and Diminution of the Rights and Obli-  
 gations arising from the Law of Nature, as  
 well as from the Law of God in the Old  
 Testament. For if you look over that whole  
 Code, you will never find the least Authority  
 therein, to warrant this Principle, that mere  
 Possession alone gives a Right to the Subjects  
 Duty; but enough to prove the contrary:  
 Witness the known Cases of Abimelech, Ab-  
 salom, Sheba, and Athaliah; to which, if you  
 please, we may add those of Shallum, Mena-  
 hem, Pekabiah, Pekah, and Hoshea; since  
 none of these five last, as you confess, ' had  
 any Right or Title to the Kingdom of  
 Israel, any more than Cromwell had to the  
 Crown of (g) Great Britain; and yet you  
 cannot deny, that all of them had the Pos-  
 session

*session* and *actual Government*. 4. It will be as hard, to maintain that Principle by the Laws of the Land, as by those of God and Nature. For, 'tho', in some Cases, Possession gives (*b*) Right; yet, that is only allow'd till a better Right is duly made out. And as to what you add, 'That no Right in another Person shall bar a King in Possession, from all that which he claims by Virtue of that (*i*) Possession;' every one knows, tis only because the other may want the Argument of Power, to support his *Right* in Bar to that of *Possession*: But it is not the Consideration of Fact, or actual Possession, but that of Right, by which Men are to be directed in a Case of Conscience. And 5. 'As to the just Right and Title of the present Possessor to the Crown of these (*k*) Realms,' I suppose, you will not presume to put it upon the precarious Issue of a mere *Possession* against apparent Right! And unless you do this, it is more artfully than pertinently mention'd in this Question. But I must beg Leave to admonish you of a great Mistake in Law, where you call the *Solemnity* of *Coronation*, which is but a (*l*) *Ceremony*, 'an Evidence of the Right, as well as of the (*m*) Possession.' To which I shall only add, that if such Arguments as you have

(*b*) Page 30.(*i*) *Ibid.*(*k*) *Ibid.*(*l*) See the Note on p. 53, and 55.(*m*) Page 30.(*n*)



have here alledg'd, are to *set Things in a true Light*, the best of our *Law-books* may be call'd *Dark-Lanthorns!*

You are pleas'd to say, That *Crowns* have no such unalienable Property inherent to them as private Estates have. They are of the same Nature as other Places of Trust and Power, tho' they be of a higher Eminency, because they themselves are the (n) highest.' — That the *Crown*, or Kingly State, is an Office, or *Place of Trust*, is, I know, a favorite Notion of those who are of a Republican Spirit, and disaffected to Monarchy: But for you, Sir, who seem to triumph in your *Acquaintance* (o) with the *Law-books*, to assert the same, is somewhat amazing; since the most eminent Fathers in that Faculty have taught us the contrary. — If you call it a *Place of Trust*, only because Kings themselves hold their Crowns and Kingdoms of the Majesty of Heaven, by no other Tenure than *Durante Beneplacito*, or *Quamdiu bene Se* (p) *gesserint*, I shall not dispute that Point: But then, what will that avail you, as to the *Alienability* thereof? The most zealous Assertors of the Divine Right of Monarchy do agree with you, that *Kings hold their Crowns and Kingdoms of God*: And there is no Doubt, but 'he may turn them out at his Pleasure, and put others in their (q) Room.' But, the Question is not about

F 3

what

(n) Page 31. (o) Page 30. (p) Page 32. (q) *Ibid.*

what *God* himself may do with these his Vicegerents; but, whether any other Powers, and particularly their own Subjects, have a sufficient Authority to do the like? Especially in such Hereditary Kingdoms as I have before suppos'd. — To argue, that because God can do this, therefore their own Subjects may do it, would be a strange Absurdity, in one who, every Day, does solemnly acknowledge Almighty God to be *the only Ruler of Princes!* And whatever has here dropped from your Pen tending to such a Conclusion, cannot easily be made consistent either with our (r) Laws, or even with your own Concessions.

For, since *the King himself is the (s) Highest*, and even *the High Court of Parliament assembled by and under him*, as well as *all the Judges and Magistrates, who act in their several Stations by Commission from him*, 'are all Parts of the Administration and Government depending upon (t) him;' it will not be an easy Task for you, to convince the Conscience of any plain rational Man, that any

(r) By the *Act for the Attainder of the Regicides*, 1 Car. ii. c. 30. 'It is declar'd, that, by the undoubted and Fundamental Laws of this Kingdom, neither the Peers of this Realm, nor the Commons, nor both together, in Parliament or out of Parliament, nor the People collectively or representatively, nor any other Persons whatsoever, ever had, have, hath, or ought to have, any Coercive Power over the Persons of the Kings of this Realm'

(s) Page 31.

(t) Page 24.



any, or all these together, have a sufficient Authority *to turn out the King*, by and under whom alone they are to act in their several Stations, *and to put another in his (u) Room* : Nor will you consequently be able to prove it the *Duty* of the Subjects, in such a Case, to *pray for* that other so set up, in Opposition to him who is so *turn'd out* ! —

As to your Observation, concerning *the Law or Rule, which determines in private (x) Property*, with Submission, Sir, tis foreign to the Purpose. For, tho' ' when the Judges determine the Right to be in one preferably ' to another, whether justly or not, that Person shall take Possession of the Estate, shall ' receive the (y) Rents, &c.' does it therefore follow, that in the Case of the Crown, mere Possession alone, without any such *Determination of the Right* by any superior Judges, shall entitle the Possessor to ' all that is due ' from the Subjects to the (z) Crown ? ' Surely, Sir, there is a wide Difference between a Determination of *private Rights*, by the known proper Judges, declar'd and pronounc'd in open Court, in the ordinary Legal Course of Proceedings, and such a Determination of *Sovereign Rights*, as you here contend for, without any other Proof but that of precarious and doubtful *Events* ; which are nei-

F 4

ther

(u) See the Notes on p. 7, 8, and 70.

(x) Page 32.

(y) *Ibid.*

(z) Page 33.



ther a certain Indication of God's Will, nor of the Justice of the successful (a) Cause. So that, how much soever you may contemn *the Remarker*, as *understanding very little of the Nature of (b) Government*, he may yet be allow'd to *imagine*, that there is, at least, ' the same Right to Crowns as to private Estates ;' and to conclude, that a *Principle*, which is *not at all tolerable in private Life*, can hardly be *honourable* with respect to Sovereign (c) Rights, on which those of the Subject do so much (d) depend. But, where you speak of Subjects conveying their Estates ' to what Uses they think fit, so as ' the Public be not injur'd thereby ; for the ' public Good shall controul their private ' Pro-

(a) The Justice and Righteousness of our Cause will not always secure us of Success : For those who have a very just Cause may deserve to be punish'd ; and then God may justly punish them, and deliver them into the Hands of their Enemies. God does not always determine what is right and wrong by the Events of War : For he is the Sovereign Judge of the World, and may punish a wicked Nation by unjust Oppressors ; as he often did the *Israelites*.' (Dr. Sherlock's Sermon the 17th. of June, 1691. 4to. p. 25.) (b) Page 31. (c) *Ibid*.

(d) The three Estates in Parliament acknowledge, that upon *the perfect Surety of the King's Lawful Succession and Heirs*, ' dependeth all our Joy and Wealth, &c.' (Stat. 25 Henry VIII. c. 22.) And that in the King's ' Honour and Happiness consists the Good and Welfare of his People.' (Stat. 13 Car. II. c. 1.) Agreeably to which, it is well observ'd by Dr. Chandler, now Bishop of Durham, ' That the King has at least the same Right with every private Person ; and a much greater Right, as he sustains the Person and Fortunes of every private Man in that Community.' (Sermon the 7th. of June, 1716. 8vo. p. 11.)

Property or (e) Disposition; you seem to have quite forgot the *Salvo Jure Coronæ*, so common in Grants and Conveyances, and other Legal Acts, to save the Rights of the Crown, and secure the Property of the (f) King: And again, when you are upon this Parallel, as to the *Determination* of public and private Rights, and yet do suppose, that the *Judges* may, in some Cases, *determine* (g) *unjustly*, it is very strange Casuistry, to teach, that we are, in such a Case, *bound in Duty and Conscience*, to assert and maintain the Party in Possession, under such an *unjust* Sentence; only because the Party injur'd has not any Means left him to come at his Right, of which he is so *unjustly* dispossest! Thus also you are pleas'd to say, 'That Honour, 'Tribute, Custom, Prayers, Allegiance, Defence, are all due to the King in Possession, 'and by Virtue of his (b) Possession.' — But your Readers will not be convinc'd of that, without sufficient Proofs: Especially those

(e) Page 31. (f) By Statute, 17 *Edward II.* A. D. 1324. it is enacted, 'That when a Freeman shall do 'Homage to his Lord, of whom he holdeth in Chief, he 'shall hold his Hands together, between the Hands of his 'Lord, and shall say thus; I become your Man from this 'Day forth, for Life, for Member, and for worldly Honour, 'and shall owe you my Faith, for the Lands that I hold of 'you; *saving the Faith that I owe unto our Lord the King,* 'and to mine other Lords.' And in other good Authorities, we have this *Salvo* thus express'd; 'saving the Faith I owe 'unto our Sovereign Lord the King and his Heirs.' (*Prynne's Plea for the Lords*, 1658. 4to. p. 459.)

(g) Page 32.

(b) Page 33.



those who have had the Opportunity of duly considering *the Case of Allegiance to a King in Possession*, and the *Defence* thereof; Books, which, you know, have been many Years in Print, and perhaps may require a better Answer than they have hitherto met with. Whatever Advantage you may therefore flatter yourself with having gain'd over your *Remarker*, there seems to be somewhat in his Objections against this Doctrine, which will not allow you an easy Conquest, however you may triumph in your own Opinion of it. According to your Notions here advanc'd, we may as easily inform ourselves who is our King, and to whom we are bound in Conscience to pay our Duty of Allegiance, &c. as we can, by looking up to the Weather-Cock, upon St. *Paul's* Chapel in *Aberdeen*, discover which Way the Wind blows! — But, whether this be really a *subverting all Principles*, or 'settling the Matter in Question upon right Principles, and 'its true (i) Foundation;' a *resolving all into Fear and Force*, or 'resolving them by 'Truth and (k) Reason;' a *playing fast and loose with all Governments*, or the Way 'to 'make us uniform and fixed in our Obedience and (l) Duty, &c.' must be left to the impartial and disinterested Readers to judge between you: Tho' I may venture to pronounce,

(i) Page 34.

(k) *Ibid.*(l) *Ibid.*

nounce, that all such will soon be convinc'd, at least, of the Truth of your Observation, ' that false Principles, and wrong Notions, ' unavoidably involve Men into Inconsistencies, Contradictions, and Absurdities; of ' which *one of you* has given us several Instances in this small (m) Performance.'

And here you take Occasion to speak of *the Tendency of Principles*, and to condemn such as are maintain'd by *the Remarker*, and those of his Opinion, as *naturally tending* ' to establish Arbitrary Power or Tyranny ' in the King, and Slavery in the People; — ' to make no Distinction between Right and ' Wrong, Just and Unjust, Good and Evil; ' but to resolve all into a blind Obedience, ' a slavish and sneaking Compliance to the ' Will of the Prince; and so to play fast and ' loose with the Laws of God, and the Laws ' of the (n) Land, &c.' Which of their Principles this Reflection is aim'd at, you do not tell us. If you mean these, That *Subjection* and Obedience are due to *Rightful* Sovereigns, and that for *Conscience* Sake; That Prayers are to be made also for the same; That, in order to know whom we are to obey, and pray for, tis necessary to *examine*, in Case of a disputed Claim, on which Side the *Right* lies; That in all such Cases, *Authority* is to be more regarded than Power,  
*Right*

(m) Page 35.

(n) *Ibid.*



*Right* more than Possession, and the *Justice* of the Cause more than Success, &c. And, if such Principles are either plainly taught in, or fairly inferr'd from the Laws of God and Nature, as well as the Laws of the Land (as the most eminent Divines, Lawyers, and Casuists agree them to be) your Reflection must reach to a much bolder Height than to the Remarker, and at last recoil upon your own Head. — But, where you mention their *making no Distinction between Right and Wrong*, &c. when, at the same Time, in your main Controversy with them, you represent them as too nice and scrupulous in making that Distinction, there is such an Absurdity and Contradiction, as is hardly to be match'd; unless it be with what follows; where you upbraid them with a *slavish and sneaking Compliance*, who suffer the Loss of their All but Conscience, for their not being so very *complying* as yourself!

Another of your Reflections is, ' That they adhere obstinately to Titles long ago ' extinguish'd, and which subsist no (o) ' more.' Now, you might have remember'd your own Concession, ' That the Event or ' Success does not always declare the Right ' and Justice of the Cause, nor extinguish ' the Claim of other (p) Pretenders.' But you explain your Meaning, where you tell us,

us, ' Whatever Right there may have been  
 ' in others, on Account of Proximity of  
 ' Blood, they — are, by the present Laws  
 ' and Constitution, excluded, their Right  
 ' extinguish'd, and subsisting no (q) longer.'  
 And what is this, but to tell us, as is after-  
 wards plainly confess'd, ' that formerly Pro-  
 ' ximity of Blood was the undoubted Right  
 ' by (r) Law;' but that now the *Constitution*  
*is alter'd*, in a Fundamental Point; which  
 elsewhere you have positively (s) deny'd? So  
 that what you here offer, against those whom  
 you charge with *Obstinacy*, must either prove,  
 that the Constitution is not alter'd, and con-  
 sequently that the *former Right* is still *sub-*  
*sisting*, and not *extinguish'd*; or else, that  
 you impose a downright Contradiction upon  
 them, which is not a likely Way to convince  
 them.

Your *Remarker* objected, that, by this  
 your *new Doctrine*, ' we must strike in with  
 ' all Changes and Chances.' To which you  
 reply, ' And, pray, why may we not, if it  
 ' be lawful and (t) necessary?' — But, I  
 pray you, Sir, who is to judge whether it is  
*lawful and necessary*, or not? If the Powers  
 actually in being are always to judge of it,  
 then it was equally the Subjects Duty to  
*strike in with all the Changes and Chances* con-  
 sequent upon the Rebellion against and Mur-  
 der



der of King *Charles I.* For then, you know, those Powers did gravely, and with equal Assurance, pronounce all their Proceedings to be *lawful and necessary*! And yet, you cannot deny, that the whole Course of their Proceedings were an open Violation of all *Law*; and that they had no Pretence of *Necessity*, but what they had brought upon themselves, to disguise and defend one wicked Act by another. — But if the Subjects were at Liberty to judge of it, as tis well known all did but those who were engag'd in the Faction, then why may they not judge in one Case as well as another? And what is there in all your Expostulation on this Subject, but what might have been urg'd by the Advocates of those Times, even while they themselves were endeavouring to *stop the Course of Nature, &c.* for *striking in with all the Changes and Chances* during that Usurpation? For might not any of them have argu'd, as you do, ' What Inconsistency, Contradiction, or Absurdity is there in so doing? ' Have we Power to stop the Course of Nature, or to fix Things immutably to our ' Schemes or Ways of Thinking? Have not ' Changes and Revolutions happen'd in ' States and Kingdoms, in all Ages and ' Countries? And must we beat our Heads ' against the Wall, because Things continue ' not as we would have them? Where is the ' Wisdom or Reason in so doing? Or, what  
' Law

' Law of God or Man obliges us so to do?  
 ' Do we, or the Almighty, govern the  
 ' World? And whose Will must take Place,  
 ' His or ours? Is it not said expressly, That He  
 ' *changeth the Times and the Seasons?* And is  
 ' it not our Duty and our Wisdom, to ac-  
 ' quiesce and submit to that Change which  
 ' His Providence brings (u) about?' &c. At  
 this rate, People need not to have any Re-  
 gard at all to Authority, but are only to have  
 Respect to mere Power! Nay, Justice itself  
 will be quite out of the Question, if we are  
 to look upon every *Change and Revolution*  
*that happens* in Government, as the immedi-  
 ate Work of God, and done according to his  
 Holy Will! And, if so, every successful Rebel  
 and audacious Usurper may justify himself  
 as God's immediate Instrument, whom *he*  
*hath decreed to reign over* (x) *us!* Surely, Sir,  
 this is launching out into such a Latitude of  
 Principle, as on more cool and mature Consi-  
 deration, you must be convinc'd, will expose  
 the Assertor to a much more severe Censure  
 than I am willing to pass upon it. I am per-  
 suaded, if ever your Remarker himself shall  
 be dispos'd to reply to this your Vindication,  
 he will not fail to shew, that there is some  
*Inconsistency, Contradiction, or Absurdity in*  
*striking in with all Changes and Chances!*  
 That not he, and those of his Opinion, who  
 are



are for having Things run in their Natural Course, but those who are *given to change*, do pretend to the *Power to stop the Course of Nature*, &c. That the Phrase of *Changes and Revolutions happening*, sounds too much according to the Heathen Notion of *Fate*, or *Fortune*, to consist with the Doctrine of Divine Providence! That *beating their Heads against the Wall*, is more properly applicable to active Zealots, than to those whose Principles are always passive under Authority! That *the Wisdom of this World* is indeed but *Foolishness*! That since *the Almighty governs the World*, he needeth not any Man's Wickedness to bring his Purposes to pass, &c. For thus we may hear your Opponents every where remarking, upon the Comparison which you are pleas'd to make between their Case and that of the *Jews*; wherein, indeed, you have given them no small Advantage against you, since the *Jews* were expressly commanded by God to submit to the King of *Babylon*; whereas those whom you here so sarcastically reflect upon, do not appear to have yet receiv'd any such Divine Command; and therefore think you very uncharitable, in insinuating, as if they *follow the Example* of those *Jews*, and are 'as obstinate as they (y) were!' Nor do they think you less unhappy in the Application of some of the Texts of Scripture

ture which you have occasionally quoted. For, say they, How can we be obnoxious to the Censure of *meddling with them that are given to change*, while we remain fix'd upon the old Principles, and cannot yet be persuaded to *strike in with all Changes* to which we have been so much tempted both by Arguments and Example?

And, for the same Reason, they likewise deem it an Absurdity in you to compare them to 'an obstinate Pilot, that will needs 'sail to the Port he had in (a) view, &c.' Whereas they look upon themselves as more properly to resemble a wise Merchant, who resolves to remain in a safe *Port* (the Port of old Principles, once common to us all) and will not venture out with every *Wind*, and in all *Weathers*, for Fear of 'sinking himself, his Ship, and (b) Crew!'

The Series of your Vindication leads me next to consider the Proposition, 'that *Protection and Allegiance are reciprocal*;' which you are pleas'd to affirm, as a Maxim, 'not 'with you only, but with all Men who understand Reason and the Nature of (c) Things.' In support of which you argue thus; 'Are 'not all relative Duties reciprocal? The Duties of Husband and Wife, of Parents and 'Children, of Masters and Servants, of Pastors and People, of Superiors and Inferiors,

G ' and

(a) Page 38.

(b) *Ibid.*

(c) Page 39.



‘ and so of Kings and Subjects, are all reciprocal. He that dischargeth his relative Duty, is intitled to the reciprocal Duty in ‘ (d) return.’ — But is he not *intitled* to it unless he *discharges* his own Duty? Or is the *Duty* void on the one Part, if it is not duly discharg’d on the other? This, Sir, is the Question: And this is what you are to prove, if you say any thing material and pertinent to the Purpose. But, surely, you will not take upon you to maintain, that if the *Husband*, or *Father*, fails in his relative Duty, the *Wife*, or *Children*, are thereupon discharg’d of theirs: For, at that rate, their Relation itself must, *ipso facto*, cease; and the one continue no longer a *Father*, nor the other an *Husband*; than which there can’t be any thing more inconsistent with *Reason and the Nature of Things*. But if we look into Revelation, or even into the Laws of our own Land, we find this Point clearly determin’d against you. For, however the Superior may happen to fail in his Duty, the Wife is nevertheless bound to obey and submit herself unto her Husband, the Children to their Parents, and the Servants to their Masters. Thus, *Wives* are commanded to *submit themselves, and be in Subjection to their own Husbands, as unto the Lord, in every thing*; even tho’ their Husbands be so wicked,

ed, as not to obey the Word of (e) God; Children to obey their Parents in all (f) Things; and Servants to count their own Masters worthy of all Honour; and to be obedient to them, in all Things, with Fear and Trembling, in Singleness of Heart, as unto (g) Christ: And all this too, not only to the good and gentle, but also to the (h) froward. Now, Sir, if there is an Analogy between these several Relations and that of a King and his Subjects, as your own Argument supposes, we may from thence alone conclude, that the Duty of *Allegiance* does indispensably oblige the Subjects to their own Sovereign, even tho' he shall fail in his *Protection* towards them. But we need not to rest in such Analogical Conclusions, since the express Word of God has directly commanded every Soul to be subject to the higher Powers, not only for Wrath, but also for (i) Conscience-sake; and that without any Distinction as to *Protection*, or even as to their Religion or Morals: For, I need not to put you in Mind of your own Remark, that this very Injunction was given by St. Paul to the Christian Subjects of Nero, a notorious Idolater and persecuting Tyrant. Agreeable to which is the Doctrine of our own Laws; of which I beg Leave to lay be-

G 2

fore

(e) *Ephesians* v. 22, 24, 33. *Colossians* iii. 18. & 1. *Peter* iii. 1, &c.

(f) *Ephesians* vi. 1. & *Colossians* iii. 18.

(g) *Ephesians* vi. 5. *Colossians* iii. 22. & 1. *Timothy* vi. 1.

(h) 1. *Peter* ii. 18.

(i) *Romans* xiii. 1, &c.



fore you a Specimen [APPENDIX N<sup>o</sup>. iii.] notwithstanding you value yourself upon your Acquaintance with our *Law-books*: Wherein you may not only find a clear Distinction, between such a *Local Allegiance* as is due on Account of *Protection*, which you seem to build your Doctrine upon, and the *Natural Allegiance* which is due by *Birth* from every Subject to his Natural Sovereign, which you do not seem yet to have a right Notion of; but also many other remarkable Points solemnly adjudg'd, directly contrary to divers of your Opinions here laid down for Law: Which will not only *shew* you *palpably mistaken in these Things*, but ' may serve ' to make *you* more cautious, and less positive, in others;' as you say of your (k) Opponents. — Nay, the Proofs here produced are fairly confirm'd, even by your own Father, in his *Letter to a Friend*, which you have here subjoin'd to your *Vindication*: Wherein he agrees, ' That Allegiance is due ' to both good and bad Kings; for both are ' of God: Even as Wives, Children and Servants ought to do their several Duties, tho' ' the particular Behaviour of Husbands, Parents and Masters do not much encourage ' it: For no Misdemeanour of others can ' cancel the Obligation to obey (l) God.' And now, Sir, 'tis to be hop'd, that you will not

(k) Page 89.

(l) Page 210.

not insist, that *Protection and Allegiance are reciprocal*, since these Authorities may convince you, ' that all Men who understand ' Reason and the Nature of (m) Things,' are not of your Opinion!

Another Argument you offer, ' That we ' certainly owe a Duty where we reap a Benefit; according to that known Maxim, ' *Omne Beneficium postulat (n) Officium.*' 'Tis true indeed, every *Benefit receiv'd obliges to a Duty in return*: But still that *Duty* is not to be extended beyond its proper Limits. For, after you have urg'd it to the utmost, you can't say, that any *Benefit receiv'd* can *oblige us to a Duty* out of our own Power, or to the Prejudice of another Person's Right. And therefore your Inference drawn from hence will come as far short of the End for which you produce it, as the former have done: For thus, what you say of *a double Obligation to the Duty enjoin'd in the Text*, (*viz.* 1. ' That under them we may lead ' quiet and peaceable Lives, (o) &c.' And, 2. ' In return for those Benefits we actually ' do enjoy under (p) them;') may be briefly refuted, by observing, that the former of these can't reasonably be expected, nor faithfully be pray'd for, where the Actual Governor has only the Power, in Opposition to apparent Right and Authority; and that the latter

G 3

ter



ter can't warrant, and much less lay us under any *Obligation* of Gratitude, to transfer our Allegiance, and offer up our solemn Prayers and Thanksgiving for such an one, as our King and Governor, in Prejudice of a Third Person: For, even by your own Confession, ' we are bound to the Duties of Justice ----- ' &c. tho' we should reap no temporal Benefit by them; tho' Men should repay us ' with Hatred for our (q) Good-will.' If I do therefore the more briefly pass over a great part of what you have added to this and the like Purpose, it is not that I look upon it to be unanswerable, much less by way of *Concession*, as if I *had nothing to object against it* (on which Supposition you are pleas'd to triumph over your *Remarker* with your *Maxims* in *Logic* and (r) *Law*) but only because a few Words are enough, where the Subject does not need an Enlargement, and the Foundation being thus shaken, your Superstructure must fall of course. I must not however leave your Reader to be led away into an Error, by what you build so much upon; ' *the End of Government*, and the ' Reason why Dominion and Power is given ' unto Men.' You are pleas'd to say, ' It is ' not for their own Sakes, but for the People's, that such Power is committed unto ' (s) them.' As if the *People's* Safety were the

(q) Page 40.

(r) Page 46, 47.

(s) Page 40, 41.

the sole and principal End of its Institution (t). But this is a very great and dangerous Mistake. — Neither is that Phrase which you make Use of, concerning *a Moral* (u) *Incapacity*, so clear to the Understanding of all your Readers, as not to admit of some Exception or Doubt. You do not here indeed tell us what you mean by it: But, if it be a Difference in Religion only, as we

G 4

may

(t) ' This which is commonly affirm'd, that the End of  
' Government is the Good of the Inferiors, must be under-  
' stood *cum Grano Salis*. For, from this Principle misunder-  
' stood, some have collected, that, because the End is above  
' the Means, and more noble, therefore Subjects are above  
' their Governors, and so may call them to an Account for  
' their Misgovernment, and judge or punish them, and re-  
' move them if they see Cause; from which false Collecti-  
' ons, made by seditious and turbulent Persons, infinite Trou-  
' bles, Confusions, Rebellions and Desolations have follow-  
' ed. We must know therefore, 1. That to procure the  
' Good of Inferiors is indeed the Duty of Superiors, and  
' one End why God committed the People to them; but *not*  
' the sole or principal End of their Authority. For Princes  
' receive their Power only from God, and are by him con-  
' stituted and intrusted with Government of others, *chiefly for*  
' his own Glory and Honour, as his Deputies and Vicegerents  
' upon Earth; for they are *His Ministers*, *Romans* xiii. So  
' that the principal End of their Government is the Advance-  
' ment of God's Honour, who is the Supreme King and Lord  
' of all the World: And therefore, if they fail in Perfor-  
' mance of this Trust, they are accountable only to Him who  
' intrusted them; and not to the People, whom he hath put  
' under them, and whom he never authoriz'd to call them  
' to Account, but to appeal only to him. 2. It is not generally  
' true, that all Government is only for the Benefit of those  
' that are govern'd. For some Government there is merely  
' for the Benefit of the Superior; as that of a Lord or Mas-  
' ter over his Servants, &c.' (Bishop Andrews on the Com-  
mandments 1650. fol. 331.)

(u) Page 52.



may gather from other Passages, it may be thought somewhat improper to call that a *Moral Incapacity*, and no less absurd to make it a Bar to suppos'd Natural Rights. For, at this Rate, every Fanatical Sect, when powerful enough, may pronounce an orthodox Churchman *morally incapable* of governing them; even as Christianity itself has been formerly construed a *Moral Incapacity*, among the unconverted Heathens in *Bulgaria*. But, till we can find out such an *Incapacity* in the Laws of God and Nature, the fairer Way would be to call it a Legal Incapacity, and to rest it wholly on *the present Laws and Constitution*, and the Principles of human Policy, which have not always been (x) infallible.

The next Thing material, and not yet taken Notice of, is where, having *acknowledg'd* that *this is an Hereditary Kingdom*, you go on thus; ——— ‘ But what then? Because a  
 ‘ Kingdom is Hereditary, must the Crown  
 ‘ necessarily and unalterably, descend always to  
 ‘ the eldest Son, or the next immediate Heir?  
 ‘ Or if a more remote is exalted to the  
 ‘ Throne, is not his Title right and good?  
 ‘ No such (y) thing.’ ’Tis well you have answer’d your own Objection; and that too, with such an Air of Positiveness, as might not have been well taken from a Person less

ac-

(x) See the *Appendix*, No. iv.

(y) Page 52.

acquainted with *Law-books* and the *Nature of Government*, than yourself. For my own Part, I might possibly have been of a different Opinion, as many wiser Men may be; especially on the Credit of such Authorities as you will find (z) in the APPENDIX. — However, this I may venture to say, That, in such a Country as I have herein before (a) suppos'd, it would be thought very strange, if the Crown did not *descend always to the eldest Son, or the next immediate Heir*, before all those who were *more remote*! For might it not be a reasonable Matter of Doubt, in such a Case, who could have a sufficient Authority to make such an *Alteration* in the Ordinary and Natural Course of Descent? — If it be said, The People, either collectively or representatively; would not that look like the inverting the Nature of Things, and setting up the Subjects above their Natural Sovereign, which is a downright Contradiction in Terms? And then, *if a more remote* should be *exalted to the Throne*, before, and in Opposition to *the next immediate Heir*, might there not seem Reason to question, whether *his Title was right and good*, since he could not have a better Title than they had who gave it him? — No! You say, 'No such thing!' — And therefore I shall leave it here with the Reader, while I hasten to what follows.

(z) See also the Notes on p. 10, 55, 72. (a) See p. 17.

You



You say, ' The Remarker must acknowledge, that the Kingdom of *Judah* was hereditary, being entail'd on *David* and his Heirs, by Divine Appointment. But, who succeeded *David*? Was it his eldest Son? No: The younger of many Sons, even *Solomon*' (b). What then? May not I, in my Turn, now ask you, Sir, because *Solomon* was not the *eldest* Son of *David*, but the *younger of many* Sons, does it therefore necessarily follow, that in other Hereditary Kingdoms, it must be equally lawful for a younger Son, or other more remote Relation, to succeed to the Throne, in Opposition to the next Heir? Or, because *Solomon* was exalted to the Throne by God's exprefs Appointment, must the *Title* of any other younger Son, or more remote Relation, so exalted by the People, or a Party of them, be equally *right and good*? No such thing. For, you may remember, That such was the universal Opinion of an Hereditary Succession, that, 1. All *Israel* look'd upon *Adonijah*, the eldest Son, as the Person who was to succeed his (c) Father. 2. *Adonijah* prepar'd himself accordingly, as the next undoubted Heir, in Virtue of his Natural Right of (d) Primogeniture. Yea, and, 3. Even the wise *Solomon* himself acknowledg'd, that the Priority of his *elder Brother's* Birth would have given him the undoubted Right of Succession, as in all ordinary

(b) Page 52.

(c) 1. *Kings* ii, 15.(d) *Ibid.*

dinary (e) Cases, had not God himself thought fit to make a special Entail of the Succession in that particular Instance. And it was this special Interposition of God Almighty (whose sole Prerogative it is to dispense with and supersede his own Laws and those of Nature) which alone exalted *Solomon* to his Father's Throne, and render'd his *Title right and good*: God's Interposition, I say; not by mere *Events* (which you would persuade us are Proofs of his Divine (f) *Approbation*, and necessarily to be understood as being (g) *according to his Will*,) but by express Revelation from God, by his Prophet *Nathan*. For, even before *Solomon* was born, there was an express Declaration made unto *David* from God, of the Succession being entail'd upon (h) him, and that too particularly, and by (i) Name: And, in Pursuance of this Divine Designation, King *David* bound himself with an Oath, that *Solomon* should succeed him, as he did (k) accordingly. From all which it is evident, that *Adonijah* might properly appeal to the common Sense and Knowledge of the Queen-Mother *Bathsheba*, that *the Kingdom was his*, according to the general Law of Hereditary Succession, and that *all Israel* did therefore justly regard him as the next undoubted

(e) 1. *Kings* ii. 22. (f) Page 139. (g) Page 142.

(h) *Samuel* vii. 12, &c.

(i) 1 *Chronicles* xxii. 9. xxviii. 5. & xxix. 1.

(k) 1. *Kings* i. 13, 17, 30.



doubted Heir, and *set their Faces on him that he should reign*, in Virtue of his Natural Right of Primogeniture, till they had such demonstrative Proof, by exprefs Revelation, that *the Kingdom* was entail'd upon *his Brother Solomon*, and that *it was his from the (l) Lord*.

But now, to proceed, you confess, ' That ' *Rehoboam*, in all Probability, was *Solomon's* ' eldest (m) Son : ' Yet, in Hopes to weaken the Arguments for Hereditary Right, you are pleas'd to go on thus : — ' But who succeeded *Rehoboam*? Not his eldest, but a ' younger Son ; as is clear from the (n) History.' Now, that he was not *the eldest* in Strictness of Speech, or the first-born of all his Father's Sons, is not the Point in Question. For if he was *the eldest* surviving at the Time of his Father's Death, and his own Succession, 'tis all that is contended for ; and enough to make good his undoubted Hereditary Right to the Throne. And that he was *not the eldest* then surviving, is far from being *clear from the History*. You indeed have labour'd hard to prove what you assert : But with what Sort of Proofs? Why, truly, with Inferences drawn from precarious Propositions, and with harsh Reflections cast upon Books, which you have neither particularly referr'd to, nor nam'd! So that it will be  
diffi-

(l) 1. Kings ii. 15. (m) Page 52. (n) Page 53.

difficult for the Reader to discover, whether you have fairly and fully collected the Sense of the Authors, in the Passages which you treat with an Air of Contempt; and consequently, whether your Reflections are just or groundless. We all know indeed, that some Books are easily reflected on in the general, which perhaps would not be so easily answered, if they were taken into serious Consideration; like some Doctrines, which, as Dr. *Sherlock* formerly observ'd, witty Adversaries endeavour to *laugh out of Countenance*, when they find themselves not able seriously to confute them! — But now, more particularly, as to your Remarks upon the Case of *Abijah*, or *Abijam*; 1. Whereas you say, ' That he ' was not *Rehoboam's* eldest Son, there being ' three nam'd before him; but only the eldest ' Son of his third Wife (o) *Maachab*;' that is not the Point here in Question, for the Reasons before given. 2. You observe, ' That ' tho' he was not his eldest Son, yet he made ' him Chief and Ruler among his Brethren, ' with a Design to make him King; for this ' Reason, because he lov'd *Maachab* above ' all his Wives and (p) Concubines.' But, surely, the King, in his own Life-time, and while all his Children were equally his Subjects, had Authority to prefer which of them he thought fit, to any subordinate Office of  
Magi-

(o) Page 53.

(p) *Ibid.*



Magistracy under himself; and it was natural to make Choice of him, for that Office, whose Mother was his most-beloved Wife: But still it does not follow, because he then also *thought to make him King* (which only imports a partial Affection for him, but not a form'd *Design*, and much less a fix'd Resolution, to break through the Natural Order of Succession) that therefore *Abijah* did afterwards actually succeed his Father, by Virtue of that immature *Thought*, in Prejudice of any elder Brother then surviving. 3. Whereas you urge, 'That to compass his Design, he (King *Rehoboam*) dispers'd all his other Sons into the chief Cities of his Kingdom, making them Rulers therein, and giving them ample Provision, that they might live easy and contented, and not disturb *Abijah*, whom he design'd to succeed (q) him;' the utmost that can be fairly concluded from hence is, that *Rehoboam* had settled, or intended to settle a valuable Consideration upon his elder Sons, that they should be *contented* to waive their respective Claims, in favour of *Abijah*: And as there is not the least Colour of Proof, that any elder Son did afterwards set up a Claim of a prior Right against him, you must either conclude, that they were all dead before *Abijah* mounted the Throne, or else that they were consenting  
to

to it; which will justify his Right of Succession, according to the known Maxim, *Volenti non fit Injuria*. And therefore, even supposing that there was any elder Son of *Rehoboam* surviving, at the Time of his Death, which does not appear by the History, it is no Wonder, 4. ‘ That, by this wise and  
 ‘ prudent Management of his, this very  
 ‘ same *Abijah* did quietly succeed him in the  
 ‘ (r) Kingdom.’ Thus, even upon your own State of the Case, Sir, I can’t see any Colour for your Reflection, that this Succession of *Abijah* does *not at all agree with certain Schemes and Notions*, which, you are pleas’d to say, *some People have fancy’d to themselves indefeasible*; nor any Necessity for  
 ‘ *some Way to be found to evade the Proof from*  
 ‘ *this Text to the (s) contrary*,’ when the Text, even with your Comment upon it, is no Proof at all to the contrary of their Principle, of an undisputed, and indisputable Hereditary Succession. —

You say, ‘ They will have it, that *Abijam*  
 ‘ was *Rehoboam*’s eldest Son when he came  
 ‘ to the Crown. Their Reasons are, 1. That  
 ‘ it no where appears, that any one of the  
 ‘ elder Sons was living at that Time: But  
 ‘ I think it is every whit as reasonable to say,  
 ‘ that it no where appears, that any one of  
 ‘ them died before that Time: *Ergo*, They  
 ‘ were

(r) Page 54.

(s) *Ibid.*



‘ were all (*t*) living.’ But, with Submission, Sir, to your great Skill in Logic, your Argument does not seem to be fairly conclusive. For, 1. When the sacred History teaches us, that the Kingdom was expressly entail’d by God upon *David*, and his Heirs by *Solomon*, and that *Solomon* was accordingly succeeded by his Son *Rehoboam*, and he by his Son *Abijah*, or *Abijam*, we have all the Reason to believe, that *Abijah*’s elder Brethren were dead, before their Father, tho’ the Holy Scriptures, which are very brief in such Matters, have not recorded it: At least, since ’tis agreed, that *Abijah* did *quietly succeed*, without any Competitor, it wholly lies upon you, who deny his being the then eldest, to prove, that there was an *elder Brother living* when he came to the Crown. 2, We have as clear Proof of three Sons of *David*, elder than *Adonijah*; one of whom, for ought appears from the History, might have surviv’d their Father: And yet, because there is no mention of him, or his Pretensions, at the Time of their Father’s Death, but *Adonijah* is the next who put in his Claim to the Inheritance, ’tis therefore reasonably concluded, that all the elder were dead, and *Adonijah* is universally esteem’d to have been the eldest surviving Son of *David*, at the Time of that Demise; and why the same Argument should not be as conclusive  
also

so in the Case of *Abijah*, requires more Art than I am Master of, to distinguish. And the rather, because 3. As *Adonijah* insisted on his undoubted Natural Right of Primogeniture, in that Case, as before is observ'd; so did *Abijah*, in this Case, insist on his, without any Contradiction, even to the Face of *Jeroboam* and his whole (a) Army. Notwithstanding all this, you proceed to argue against your Antagonists thus; 2. ' Had there been any elder Brother living, it is not to be doubted, say they, but we should have heard something of his Pretension. But this Objection (*you say*) is prevented by the Text, which tells us, that *Rehoboam* dealt wisely, and took such Measures as to prevent these (b) Pretensions.' To which I shall only add to what I have already observ'd, that if *these Pretensions* were *wisely prevented*, 'tis much the same as to the Point in Hand, as if they were naturally dead; since there could not be any Law or Reason to oblige the Subjects to assert a Right, which the Heir himself, supposing there had been a nearer living, did not pretend to. The next Reason which you undertake to invalidate is, 3. ' That this had been contrary to the Law, in *Deuteronomy* xxi. 15, 16, 17. where a Man is forbid to make the Son of the beloved Wife, First-born, before the Son

H ' of

(a) 2<sup>d</sup> *Chronicles* xiii. 4, &c.

(b) Page 54.



‘ of the hated, which is indeed (c) the First-born.’ And is not this very true? No! You say, 1. ‘ This Law related only to private Inheritances, and not to the Kingdom, ‘ as is (d) evident.’ But where, I pray you, Sir, is this *evident*? The Law itself is given in general Terms, *A Man*; which in common Intendment of Speech includes *Every Man*, Kings as well as private Persons: And the very Reason given for that Law, because *the First-born is the Beginning of his Father’s Strength*, ver. 17. undoubtedly extends to the First-born of Kings, as much as to those of their Subjects. Besides, Sir, one who is so well acquainted with Maxims of Law, as you seem desirous to be thought, cannot be ignorant of these, which are among the best of them, *Neminem oportet esse Sapientiores Legibus*, and *Ubi Lex non distinguit, nec nos distinguere debemus*. — And this indeed you seem to be sensible of, by what immediately follows: ‘ But, 2. Admitting it to relate to both, I do not find, that these ‘ Kings were so very observant of the Laws. ‘ The Law forbid their Kings to multiply ‘ to themselves Wives; which Law both ‘ *Solomon* and *Rehoboam* had shamefully (e) ‘ transgress’d.’ And what then, Sir? You will not say, that, because they transgress’d the Law relating to their Marriages, it necessarily

(c) Page 54.

(d) *Ibid.*(e) *Ibid.*

farily must follow, that they were not observant of it in any other Case. Does not this way of construing it, look like an Endeavour to *find out some Way to evade the Proof, from this Text, to the contrary* of your own favorite Schemes and Notions, which you are so forward to censure in others? — But I shall forbear to push this so home as perhaps some others may do! 5. Your next Reflection is upon what you ironically call *the wisest Reason of all!* Which in Substance is, that *the Pedigree of our Blessed Saviour, as King of the Jews, being deriv'd by St. Matthew through Abijah, as well as the rest of that Royal Line, the making a Doubt of the Right of Abijah, is in effect to raise an Objection against that of our Saviour also.* To which you are pleas'd, with great Good Nature, to say, ' Sure, a Man must have a very ' strong Prejudice, that will run the Hazard ' of a strong Objection against our Saviour's ' Pedigree, rather than forgo a precarious ' (*f*) Supposition!' Very true! But if the Right of *Abijah* was good, as the undoubted Heir of *David* (and such it plainly appears to be; notwithstanding all you have offer'd to invalidate it) there can be no *Hazard* in deriving our Saviour's Pedigree through that of *Abijah*: Tho' I must be so free with you as to own my Fears, that, in such Times as

H 2

these,



these, when many Men are so audaciously impious, as to propagate all manner of Objections against our Blessed Saviour himself, such a pretended Flaw in his Pedigree will be laid hold on, as an Argument against his being *The (g) Born-King of the Jews*; and therefore, *surely, a Man must have a very strong Prejudice against the Doctrine of Hereditary Right, who will run the Hazard of a strong Objection against our Saviour's Pedigree*, and even lend the common Enemy a Handle for it, *rather than forgo a precarious Supposition*, to the Prejudice of that Right, so plainly founded both in the Laws of God and Nature!

This, I think, is at least enough, as to the  
main

(g) St. Matthew ii. 2. The learned Dr. W. Cowper, heretofore Lord Bishop of Galloway, writing of the *Genealogy of Christ*, wisely observes, ' That there was a double Descent ' usually reckon'd among the *Jews*; the one *Legal*, the ' other *Natural*. The Natural Descent was, when one by ' Natural Generation descended of another; the *Legal*, ' when one not naturally descended of another, yet succeeded ' ed, as *nearest of Kin*, to the Inheritance. Now, to let us ' see the Agreement of the Evangelists, St. Luke deduces the ' *Natural Line of Christ* from *David*, making it known, ' how *Christ*, by *Natban*, is the Natural Son of *David*, according to the *Flesh*: But St. Matthew deduces the *Legal* ' Line of *Christ* from *David*, making it known, how *Christ*, ' as *Solomon's Heir*, and *Lawful King of the Jews*, succeeded, ' as *nearest of Kin*, to sit upon the Throne of *David* his ' Father. For the which also St. Matthew calls him *Born-King of the Jews*: And the *Jews* themselves could not ' name any of their Nation nearer than he; and therefore, ' having no lawful Exception against him, cry'd out in their ' Wilfulness, *We will have no King but Cæsar.*' (Bishop Cowper's Works, 1629. fol. 591.)

main Point in Question here before us. — As to the Objections which you have taken so much Pains to make against particular Books, when you think fit to enter into a profess'd Examination of them, their Authors must be oblig'd either to defend or retract them, which it is not my Business here to trouble myself farther about. But thus much I may be bold to say, That I have now in my Hands a late Performance, wherein I find some Passages, against which you seem to have levell'd the sharpest of your Reflections; which if you had carefully read through, with an unprejudic'd Regard to Truth, rather than a Desire of Triumph, might have sav'd a great deal of Writing on this Subject, and at least have abated the Edge of your Resentment, if it had not prevail'd with you once more to submit to Principles, which for many Years you thought unanswerable.

Before I leave this Point, which you have so much labour'd, I find it proper to take notice of one or two extraordinary Passages, which had well nigh escap'd my Observation. — You ask, ' What does it signify, ' whether *Abijam* was *Rehoboam's* eldest Son ' alive, when he came to the Crown, when ' it is certain he was not his eldest (*b*) Son? ' Which is no *wiser* a Question than those others which you make so little Account of.

H 3

If



*If there be any Sense (i) in these Words*, as you say of the Remarks, it must be found under a Distinction between the eldest born and the eldest surviving: And *it signifies* as much as when we say, *Charles I.* was not the eldest, or first-born Son of King *James I.* But yet, since his elder Brother, Prince *Henry*, died before the King, *Charles* was then of course the eldest Son surviving, and consequently the undoubted Heir. Again, speaking of *Rehoboam's* Design to prefer *Abijah* before his elder Brethren in the Succession, you say, ' Against this, tho' a Thing openly ' known, we find no Remonstrances made, ' either by the People, or the Priests, or the ' Prophets; whence we may reasonably infer, that they knew of no Law against (k) ' it.' This, Sir, methinks, is a strange *Inference* for so accurate a Logician as you to make; and that too, grounded on as strange a *Reason*! Can it be reasonably suppos'd, that No-body in those Times *knew of any Law against* disinheriting the First-born, or next Natural Heir? Were the *Priests* and the *Prophets*, as well as all the *People*, utter Strangers to the common *Law* of Nature? Or could they all have forgot the written Law of *Moses*? wherein, by the immediate Command of God, it was made a *Statute of Judgment*, or perpetual Law, that all *Inheritances* were

were to descend to *the (l) next of Kin*; and wherein also, to cite no more, it was expressly provided, that *the Right (m) of the First-born* ought not to be defeated; as I have already observ'd. — But this your Argument, if it proves any thing, will prove too much. For I dare say, among the several idolatrous Kings of *Judah*, as well as of *Israel*, there are some Instances of Idolatry, *against which*, nevertheless, *tho' a Thing more openly known than Rehoboam's Design* could be, *we find no Remonstrances made, either by the People, or the Priests, or the Prophets*: And yet you will not venture to say, that *from thence we may reasonably infer, that they knew of no Law against Idolatry*! Now, if such an *Inference* is not *reasonable* in the one Case, it will not be easy for you to shew, how it can be reasonable in the other! — As to what you tell us, from Dr. *Patrick*, that *this*, of disinheriting the natural Heir, *was a Power claim'd by the Kings of Judah, and sometimes also by the (n) People*; surely, we are not concern'd about what they *claim'd*, but what they had a Right to: And sure I am, the Holy Scriptures plainly intimate to us, that they had not, nor thought themselves authoriz'd to *claim*, any such *Power*; wherein we are carefully taught the Reason why *Jehoram*

H 4

suc-

(l) Numbers xxvii. 8, &c. (m) Deuteronomy xxi. 15, &c.  
(n) Page 56.



succeeded his Father *Jehosaphat*, because he (o) was the First-born; and that *Abaziah*, who was the youngest Son of *Jehoram*, succeeded him, only because a Band of Men (p) had slain all the eldest; clearly intimating, that he had not been capable of it, if any of his elder Brethren had been then alive, and claim'd it.

Having urg'd all you could from the Cases of *Solomon* and *Abijah*, you say, ' Was the Kingdom the less Hereditary on account of these Successions? Or did any body ever question *Solomon's* or *Abijah's* Right to the (q) Crown? ' No, Sir; nor was there any Colour of Reason so to do. For *Solomon's* Succession being according to the express Nomination and Entail of God himself, barr'd all Pretence of *questioning his Right*: And *Abijah's* being agreeable to the ordinary Rule of Survivorship; or, at least, even upon your own State of it, quiet and peaceable, without any prior Claim; there is no more Reason for any body to *question his Right*, than if we were positively assur'd (as we have good Reason to believe) that his elder Brethren were actually dead; as I have already prov'd at large. — But, not content with these two Scripture Proofs, you tell us, ' Many like Instances may be given in other ' King-

(o) 2. *Chronicles* xxi. 3.

(p) 2. *Chronicles* xxii. 1.

(q) Page 54, 55.

' Kingdoms ; but, for Brevity's Sake, we  
 ' shall mention but one ;' — for which you  
 would lead us as far as to (r) *Constantinople*.  
 But, I think, we need not follow you so far  
 out of our way ; since the Case of the Suc-  
 cession there, in 1138 (whatever it was) can  
 be no Rule to us. However, at the Close of  
 this, you sum up all with this Remark ;  
 ' The first of these Instances was by Divine  
 ' Appointment, which shews the Thing to be  
 ' lawful : The second was for no other Rea-  
 ' son that is given, than the Affection which  
 ' the King had for one of his Wives above  
 ' the rest : And the third was for powerful  
 ' Reasons of State. All of them shew, that  
 ' such a Procedure is not inconsistent with  
 ' the Nature of an Hereditary Kingdom.  
 ' And why may not the same, or more pow-  
 ' erful Reasons, justify the like Procedure in  
 ' any other Hereditary (s) Kingdom ?' Why  
 truly, Sir, in my humble Opinion, not one  
 of all these three Instances comes up to the  
 Proof of what you vouch it for. For, 1.  
 Tho' *Solomon's* being preferr'd before his elder  
 Brethren, by God's immediate Nomination  
 and Appointment, *shews the Thing to be law-  
 ful* indeed, in that particular Instance ; yet it  
 does not infer, that it will be lawful to do the  
 like, in other Cases, where no such *Divine  
 Appointments* appear to justify it ; any more  
 than



than *Abraham's* offering up his Son *Isaac*, or the *Israelites* spoiling the *Ægyptians*, can be vouched for Precedents to justify others in the like Procedure : For, you know, Sir, that to argue against ordinary Rules from extraordinary Cases, is not good Logic. And, 2. None of these three Cases, even according to your own State of them, were transacted without the Concurrence of their respective Fathers Sovereign Authority : And therefore, how much, or how little, soever that may weigh in those particular Instances, it will at least shew them to be no way applicable to the Question here in Hand ; since it cannot from thence be inferr'd, that the next Heir to the Crown can be justifiably excluded from his Natural Right of Inheritance, *in any other Hereditary Kingdom*, without so much as the Consent of his Royal Father ; which is neither pretended, nor suppos'd, in the Case in Controversy. So that *such a Procedure* may be *inconsistent with the Nature of an Hereditary Kingdom*, notwithstanding all you have yet said.

As to what you mention of the long and bloody Contests between *Bruce* and *Baliol* in *Scotland*, *York* and *Lancaster* in *England*, and those of late in *Poland*, I shall not trouble myself here to enter into the Particulars. Your Argument from thence is, ' That as ' easy as it may seem in Speculation, to ' know, in an Elective Kingdom, who has the  
Ma-

' Majority, or who is the next Heir in an  
 ' Hereditary one, it seems it is not so easy  
 ' to agree in the Matter, in some (*t*) Cases.' But, in my Opinion, you have shaken the Force of all this to Pieces, in what follows; where, ' supposing it may not be so hard for  
 ' a disinterested Person to know where the  
 ' Right lies,' you immediately add, ' Does  
 ' the Remarker imagine, that one whose Passions and Interest are engag'd, will see Things  
 ' in the same impartial View? Will not any  
 ' small Claim serve as a Pretence, to Men of  
 ' Ambition and Power, to make good their  
 ' Title to a Crown by Force of Arms, and  
 ' to take (*u*) Possession?' This is indeed so evident, that he must be strangely blinded who can't see the Truth of your Observation! But what is to be concluded from all this? Certainly not ' that Possession, once secur'd  
 ' and settled, shall determine the Subjects (*x*)  
 ' Obedience.' For 'tis impossible that any thing can be more expressly adjudg'd to the contrary of this your Assertion, than was done in that very Case of the Contest between the White Rose of *York*, claiming as Heir to *Clarence*, and the Red Rose of *Lancaster*, (*y*) when after a long Possession of sixty or seventy Years, it evidently appear'd, that nothing but *Passion and Interest* had supported  
 the

(*t*) Page 58. (*u*) Page 58. & 59. (*x*) Page 59.

(*y*) See the Appendix, No. v.



the *Ambition and Power* of the younger Line of *Lancaster*, while all *disinterested Persons* knew that the *Right* lay in the Duke of *York*, as Heir to the elder; and many of them gallantly underwent great Hardships for their honest Adherence to it.

And here also I can't but express my Amazement, that so accurate a Writer, and so close a Reasoner, as yourself, should sink so low, so often, and so heavily to repeat your Apprehensions (as here again you do) ' That  
' the Fate of the People must be very miserable indeed, if they should be oblig'd to  
' throw up their Lives and Estates, and ruin  
' their Posterity, because one Man has got  
' the Kingdom, and another has lost it! But,  
' this neither the Laws of any Nation, nor  
' the Law of the Gospel obliges them to (2)  
' do.' 'Tis true, they *do not oblige them*, voluntarily, to *throw up* either. But they certainly oblige all Subjects to *do their bounden Duty*, to *keep a good Conscience*, and to resign the Concerns of their *Lives and Estates*, as well as those of *their Posterity*, to the wise Providence of God, who will, in due Time, *help those to Right who suffer (a) Wrong*; and who will make all Things turn to the Good of those who put their Trust in him, in such a manner as shall be *most expedient* for them. This, Sir, would have well become you, as

a

(2) Page 59.

(a) *Psalms* cxlvi. 6.

a Preacher of God's Word, to have press'd upon the Consciences of your People: And so it would also, as a good Subject and a true Briton, to have insisted more particularly than you have done, on the *Miseries of Civil Wars, &c.* naturally consequent upon disputed (b) Titles, of which these Nations have had long and woful (c) Experience. Instead of which you alarm them with tragical Notions, as if the Principles of those whom you oppose, *oblige Men to throw up their Lives and Estates, and ruin their Posterity, because one Man has got the Kingdom, and another has lost it!* Whereas, the utmost that can be infer'd from them in the Case here in question is, that *it is absolutely necessary to have some competent Knowledge of the Matter both of our Oaths and Prayers, and also a Conviction and Persuasion that there is no Falshood or Injustice in it, that the Oath may be taken, and the Prayers put up, without doubting; without*

(b) Page 53.

(c) In the Statute 25 Henry VIII.

c. 22. (made in the very Crisis of the Reformation) we have a most lively and pathological Description of the Miseries occasion'd by disputed Titles. And the only Remedy which our Ancestors could think of (who were as tender of their Liberties as we can be of ours) was to declare, 1. That the Sovereign Jurisdiction and Right to the Crown is *given by God immediately to Kings, and in Succession to their Heirs*: 2. That such Sovereign Right was in that King, without any manner of Doubt or Question: 3. That the same ought to descend to *his right Heirs for ever, according to the Course of Inheritance*: And, 4. That *all the Joy and Wealth of this Kingdom depends upon keeping this Chain of Succession intire.*



out which ' *it ought to be refus'd, whatever may be the Consequence.*' And this is no more than is plainly asserted in your own Book, as to the (d) Oaths; and is as fairly to be inferr'd, as to the Prayers. Neither is your Expression, of *one Man getting the Kingdom, and another losing it*, either so proper, or so decent, as it ought to be: Since it is not the Case of *one Man*, or a private Loss, but that of *the King*, and his Heirs; on whose Prosperity that of the whole Body doth confessedly (e) depend.

And now we come to *the Rights of King and Subjects*: Where you are pleas'd to affirm, ' That Kings have been more ready to extend or enlarge the Prerogative, than the Subject has been to encroach upon (f) it.' This might have been more excusable in a *Rapin*, or any other Stranger to the *British Constitution*. But, after the gracious Concession of *Magna Charta*, and the many subsequent Grants of Privileges and Immunities, whereby divers of the fairest Flowers of the Crown have been given away by our Kings, and especially by those of the Royal Line of *Stuart*, such an Assertion seems to favour of Prejudice more than Principle. You admit, ' that the Laws ascertain the Right to the (g) Crown: ' But then you say,

(d) Page 216, 223.

(e) See the Notes on p. 72, 109.

(f) Page 59, 60.

(g) Page 60.

say, 1. ' How often do we see that Men will  
 ' claim and contend for a Right, where the  
 ' Laws allow (b) none?' 'Tis true, Sir, we  
*do see* this too often. But, what are we to  
 conclude from hence? That therefore, we  
 are not to trouble ourselves at all about the  
*Right*, but to engage ourselves by Oaths, and  
 endeavour also to engage our Holy and Righte-  
 ous God by our Prayers, in behalf of him  
 who gets the *actual Possession*, right or wrong!  
 I believe, all our disinterested Readers will  
 rather conclude the contrary. You likewise  
 observe, 2. ' That the Law-makers cannot  
 ' foresee all Cases or Inconveniencies that  
 ' may possibly (i) happen.' But they may  
 easily foresee the *miserable Inconveniencies* con-  
 sequent upon the Interruption of Natural  
 Rights; and therefore, in true Policy, as  
 well as in good Conscience, ought to avoid  
 the Occasion of them. And, 3. you insist,  
 That *the Laws of Men are mutable*, and *may*  
*be (k) chang'd*. Whether the Law of Nature  
 also may be chang'd, is another Question;  
 for which the Reader may have Recourse to  
 the APPENDIX, No. III. You say, ' There is  
 ' one immutable Law indeed: And that is,  
 ' *Salus Populi Suprema Lex esto; The Good of*  
 ' *the People is the Supreme Law*; by which  
 ' all other Laws are to be directed, and to  
 ' which they must (l) yield.' How unfairly  
 you have translated this Maxim, by render-  
 ing

(b) Page 60. (i) *Ibid.* (k) *Ibid.* (l) *Ibid.*



ing the Latin Word *Esto*, by the English Particle *is*, every School-boy can discern: But for your Mis-application of a Commonwealth Precept to an Hereditary Monarchy, I refer the Reader also to a full (*m*) Proof in the Notes here below. But here you go on with it thus; ‘ When that Paramount Law  
‘ re-

(*m*) The learned Mr. *Selden* observes of the Maxim, *Salus Populi Suprema Lex*, That ‘ there is not any thing in the  
‘ World more abus’d. — For we apply it, as if we ought  
‘ to forsake the known Law, when it may be most for the  
‘ Advantage of the People, when it means no such thing.  
‘ For, — it is not *Salus Populi Suprema Lex est*, but *esto*;  
‘ it being one of the Laws of the Twelve Tables: And,  
‘ after divers Laws made, some for Punishment, some for  
‘ Reward, then follows this, that is, In all the Laws you  
‘ make, have a special Eye to the Good of the People ’ (Table-Talk, p. 40.) And that most famous Casuist, Bishop *Sander-  
son*, says, ‘ There is no sober Man will deny, that the  
‘ Safety of the People, that is, of the whole Commonalty,  
‘ as that Word comprehends the King, together with the  
‘ Subjects, is the Supreme Law: But, that the Safety of the  
‘ People, that is, of the Subjects, the King being excluded,  
‘ is the Supreme Law, there is no Man will affirm it, unless  
‘ he be a Fool, or an Impostor; a Fool, if he doth believe  
‘ what he himself saith, and an Impostor, if he doth not be-  
‘ lieve it. But, if any Man will seriously look into the  
‘ Original of this Aphorism, I do believe he will more ea-  
‘ sily grant, that it ought more precisely to be understood of  
‘ the Safety of the Prince, than of the Safety of the Sub-  
‘ jects. This Saying ——— came to us from the *Romans*;  
‘ and was then used by them, when their Republic did flourish  
‘ most of all under a popular State: And there is no ---  
‘ Wonder, that the People’s Safety was the Supreme Law  
‘ with them, with whom the People themselves were the  
‘ Supreme Power. In the Judgment therefore of those wise  
‘ Ancients, who were the first Authors of this Aphorism,  
‘ the Safety of the Supreme Power was the Supreme Law; of  
‘ the People indeed in a Democracy, but of a King in  
‘ Monarchy.’ (Cases of Conscience Engl. 1660. Lect. ix.  
§ 16.)

' requires a Change, for the Safety and Wel-  
 ' fare of the People, then such Change may  
 ' lawfully be made, and shall alter the Laws  
 ' before standing: And the Law so made,  
 ' and alter'd upon that Fundamental Prin-  
 ' ciple of Society and Government, shall be  
 ' the standing Law, and shall ascertain the  
 ' Right to the Crown, as well as the Right  
 ' of the Subject to an (a) Estate.' Now,  
 Sir, all this is asserted with such a Dogmati-  
 cal Air, as might pass upon the unwary Rea-  
 der for undoubted Law and Reason, were he  
 not inform'd, that whatever Laws are made  
 or alter'd, are to receive their whole Force  
 and Efficacy from the Sovereign; without  
 whose *Fiat* all the Resolutions of his Coun-  
 cil, as well in Parliament as elsewhere, are but  
 a dead Letter. Can it therefore rationally  
 be argued, that such Laws, as, by the graci-  
 ous Concessions of Princes, have, from Time  
 to Time, ascertain'd the Prerogative Royal,  
 and limited the absolute Monarchical Power  
 within certain Bounds, for the Ease and Be-  
 nefit of dutiful Subjects, *shall ascertain the*  
*Right to the Crown* itself also? So *ascertain*  
 it, I mean, as to make it liable to a Forfei-  
 ture, as the Estates of Subjects are! For that  
 is the Point in Issue. — But this Anti-  
 monarchical Notion lies open to divers Ob-  
 jections by way of Enquiry; *viz.* Who are  
 I the



the proper Judges, when the *standing Laws* do need an *Alteration*? Who have a competent Authority to make such an Alteration when 'tis thought necessary? Whether such an Alteration can be validly made, without the free Consent and Concurrence of the Sovereign Legislator? And whether such an Alteration, being made, not only without such Concurrence, but even to the utter Exclusion and Disinheritance of the Sovereign himself, and his Heirs, who, by the former standing Laws, had an inherent and undoubted *Right to the Crown*, can be of Force to bind the Subjects in Point of Conscience, and *determine* their *Obedience*; particularly as to the Case of Oaths and Prayers? — But these, and many more of the like Sort, must be left to the Reader's further Enquiry; my Business here not being to make a profess'd Lecture of Politics, but only to consider such particular Points as your *Vindication* necessarily leads me to.

You allow *the King* to be ' the Fountain  
' of Authority and Honour, but not of (b)  
' Property.' Whether you are mistaken in Point of *Law*, as to *the Fountain of Property*, I shall not here dispute; because your Concession, that *the King is the Fountain of Authority and Honour*, is enough for my present Purpose. Only your Assertion, ' That  
' it

‘ it is the King in Possession, who is thus  
 ‘ consider’d as the Fountain of Authority  
 ‘ and Honour, &c. and not any other Person,  
 ‘ whatever his Right might otherwise (c) be,’  
 is certainly without Warrant, either in Law  
 or Reason. For, what tho’ the King in Pos-  
 session does appoint his own *Judges and Ma-*  
*gistrates*, confer *Honours*, has *all Writs, Bonds,*  
*and Deeds run in his Name*, and his *Image*  
*stamp’d upon the current (d) Coin*? All these  
 indeed are Proofs of his Power, but not of  
 his Authority; of his Possession only, but not  
 of his Right to it: Else why have we so  
 many Proofs on Record, of *Honours confer-*  
*red*, *Judgments* pronounc’d, and Grants pas-  
 sed, &c. by Kings *de Facto*, in *Possession* of all  
 this Power, which nevertheless were so far  
 from being *good in Law*, that they had no  
 manner of Authority, but what the Kings  
*de Jure* have afterwards been pleas’d to allow  
 (e) them? And therefore, if the Subject had

I 2

not

(c) Page 61. (d) *Ibid.* (e) After the Accession of  
 King *Edward IV.* to his undoubted Right, he pass’d an  
 Act in Parliament, on purpose to enact certain *judicial Acts,*  
*Honours*, and other *Grants*, in the Times of *Henry IV. Henry*  
*V. and Henry VI.* late Kings of *England* successively in  
 ‘ Deed, and not of Right,’ to continue in Force, *as if done*  
*by, or in the Time of, any King lawfully reigning, and obtaining*  
*the Crown by just Title*: Wherein those Reigns are expressly  
 declar’d to have been but *pretens’d Reigns*, and the Possessors  
 themselves but *pretens’d Kings*, and *Usurpers*; and by neces-  
 sary Consequence, all their Acts, as such, in their own Na-  
 ture, mere Nullities. (Statute 1 *Edward IV.* c. 1.) After  
 the Accession of *Queen Mary*, all the Letters Patents, and  
 other



not been of so serious a Nature, I should be apt to smile at your Exclamation, ' What a Contradiction and Absurdity it is, to deny that Authority, which, at the very same Time, they actually do and must acknowledge! Or to refuse to pray for that King, whom both the Law and themselves, by their own Act and Deed, daily acknowledge only to be (f) King! ' How far *the Law* acknowledgeth the King in Possession, is consider'd elsewhere: But how those whom you thus take all Occasions to reflect upon, can properly be said to *acknowledge the Authority* of any Person in Possession, only by such Acts as you have here enumerated, of passing Money for their necessary Subsistence, which happens to have his *Image stamp'd upon it*, &c. is not within the Compass of Common Sense to understand. For, at this rate, all the most steady Royalists must have  
*acknow-*

other Grants, &c. pass'd by the Lady *Jane Grey*, late *Usurper* in Possession, are declar'd to have been, and to *remain utterly void, and of none Effect*. (Statute 1 Mar. Sess. ii. c. 4.) And, after the happy Restoration of King *Charles II.* the ordinary *judicial Proceedings* under the then late Usurpers, were made valid, as in the before mention'd Instances. In which Act of Confirmation it is declar'd, ' That altho' it was necessary to mention divers *pretens'd* Acts and Ordinances, by the Names and Stiles which those Persons then *usurped*, who took upon them to pass the same; — the Names and Stiles aforesaid, and every of them, are most rebellious, wicked, traiterous, and abominable *Usurpations*, detested -- as opposite -- to his sacred Majesty's most just and undoubted Right, &c.' (Statute 12 Car. ii c. 12.)

(f) Page 61, 62.

*acknowledg'd the Authority of Cromwell, or the upstart Common-Wealth, so often as they receiv'd or paid their Breeches-Money; which was the current Coin, not only while those notorious Usurpers actually had the Possession of the whole Government, and impudently call'd themselves (g) the Supreme Powers, but pass'd in Payments, even for some Time after our Rightful Sovereign's Restoration! And surely, this was not a Proof, or any Acknowledgment of their Authority at that Time!*

What you say of a *Conquest* of the Kingdom by a Foreign Invader, and the Right thereby accruing to (h) him, is not to be allowed without a Distinction. For, in order to this, there must be, 1. A just Cause for carrying on the War to a Conquest: And, 2. The Submission of the King himself, as well as his People: In defect of which latter, the Conqueror can never be properly said to '*settle himself in the peaceable Possession (i) of the Crown;*' and in defect of the former, whatever Success he may have, he cannot be, as you say, '*in the Eye of the Law, as much King as any other Person can (k) be;*' but only an unjust Invader and violent Usurper of another's Right, which, by the Laws of God and Man both, he is bound to restore

I 3

him.

(g) See the *Appendix*, No. iv.

(h) Page 62.

(i) *Ibid.*

(k) *Ibid.*



him. And this, by the way, may suffice to reconcile that which you insinuate to be a Self-contradiction in your *Remarker*; who, it seems, 'makes a Jest of being determin'd 'by the Event or (l) Success,' as he very well may, in general; and yet allows it, in the particular Case of the *Romans* conquering (m) *Judea*. But, if you mean the Right by *Conquest* to be any way applicable to the Case in Hand, you may be pleas'd to remember the Answer formerly given to Bishop Burnet's *Pastoral Letter*! And, as to your Reflection, that 'because a King has lost his 'Crown, — the Subjects are not oblig'd to 'lose their Senses, or, which is all one, to act 'as if they had lost (n) them;' I agree with you; admitting only, that in the same Case, they ought not to lose their Consciences, or, which is all one, to act as if they had none!

As to the Distinction, where you tell us, 'There is a Difference between an absolute 'unlimited Monarchy, where the Will of 'the Prince is the only Rule of Govern- 'ment, and a limited or mixed Monarchy, 'such as that of *Great Britain* is, where the 'People have a Power and a Share in the 'Government; a Power in making of 'Laws, that is, a Share in the Supreme (o) 'Power;' I must take the Liberty to say, this is new Logic, that where *the King* is ac- know-

knownedged to be *the only Supreme* (p) Governor, there *the People have a Share in the Supreme Power!* And 'tis somewhat strange, that you, Sir, should need me to *put you in Mind* of a Thing so expressly taught, in the very Articles and Canons of that Church, of which you have so many Years been a Priest, and in which, I suppose, you receiv'd that Holy Order! But, not to insist on the gross Absurdity of this, or that other *arrant Bull* (as Bishop *Saunderson* (q) calls it) of a *mixed Monarchy*; your talking of *the People having a Power in making of Laws*, and a *Share in the Government*, or *Supreme Power*, is somewhat after the Doctrine of *Forty One*, when the Faction pretended to a Co-ordinate Authority with the King, and would have made his Majesty no more than one of the

I 4

Three

(p) See the Notes on p. 7. (q) 'As for the Sovereignty, be it as it will be with other States and Commonwealths, in regard of their Constitution; to *Us* of this Nation it is so evident where it resideth, that we need not to have recourse to Statesmen or Lawyers for Information in that Point. The known Laws of the Land have declar'd it so fully, and particularly the *Oath of Supremacy* expressed it so clearly, that any Man of ordinary Capacity may understand it as well as the deepest Statesman in the World. That which some talk of, a *mixt Monarchy*, (which, by the way, is an *arrant Bull*, a Contradiction in *Adjecto*, and destroyeth itself) and others dream of, such a *Co-ordination* in the Government as was hatch'd amidst the Heat of the late Troubles, but never before heard of in our Land, are in very Truth no better than senseless and ridiculous Fancies, &c.' (Bishop *Saunderson's* Preface to Arch-bishop *Usher's* Power of the Prince, &c. 3d. Edition 1710. in 8vo. § xiv.)



Three Estates! Whereas nothing is more certain in the *British* Constitution, than that there are Three Estates (*viz.* Lords Spiritual, Lords Temporal, and Commons) all Subjects to the King, and equally subordinate to his sole Supreme Authority. But, you say, ' These Laws shall bind the King, as well as ' the Subject, and shall determine the Right ' to the Crown, as well as the Subjects Right ' to an (*r*) Estate.' As how, I pray you, Sir? Shall they *bind* him without his own Consent? And that too, under the Penalty of forfeiting his *Right to the Crown*? None but a rank Republican will say this! And nothing less than this will come up to your Purpose. Or, supposing the King to be so bound, To whom can he forfeit his Right? The very Nature of the Thing supposes it to accrue to some Superior: But the King has no Superior; he being *the only Supreme* himself, and the People of all Degrees his Subjects; and therefore he cannot forfeit it to them. But then you say, ' In such a Government ' the People may sometimes do, for their ' own Safety and the Public Good, what ' there may be no Law for, but yet what ' Necessity will justify, and the Public Good ' require, and therefore make lawful; for ' Necessity, in such a Case, has no Law but ' this one, *Salus Populi Suprema Lex* (*s*) *esto.*'  
But,

(*r*) Page 63.(*s*) *Ibid.*

But, supposing they take upon them to do not only *what there may be no Law for*, but what is expressly contrary to Law, what *Necessity will justify this, and make it lawful?* Or who is to judge of that *Necessity?* — But, for a better Confutation of this your Maxim, or rather of the mistaken Application of it, I refer you to the Notes (t) here below.

Speaking of *the Rights and Titles of Kings*, you own, ‘ that Time alters not the Nature of Things, the Nature of right and wrong, ‘ just and (u) unjust;’ which I shall not make any other Remark upon at present, than this, That therefore Possession alone cannot be a good Title against Right; nor can *Time alter the Nature of Usurpation*, any more than that of other *Wrongs*.

Your Remarker had observ’d, That, according to your Doctrine, ‘ we must always, in ‘ a Dispute about the Crown, pray for the ‘ fortunate Competitor, and against the unfortunate one, tho’ injur’d: We are to pray ‘ for the actual Governor, whether justly so ‘ or not, *that he may get the Victory over all his (x) Enemies!*’ To which you say, ‘ In ‘ a

(t) ‘Tis well observ’d, by the Lord Chancellor *Clarendon*, That, in Disputes where *Necessity* is pretended, ‘ the true ‘ Logic is, that the Thing desir’d is not *necessary*, if the ‘ Ways are unlawful which are propos’d to bring it to pass.’ (*History of the Rebellion*, in 8vo. 1705. vol. 2. p. 211.) See also the Notes on p. 112.

(u) Page 63.

(x) Page 64.



‘ a Dispute about the Crown, that is, *pender-  
 ‘ dente Lite*, while the Dispute continues, and  
 ‘ the Competitors are making good their  
 ‘ Claims by Force of Arms, perhaps we  
 ‘ cannot tell whom to pray for, or we can-  
 ‘ not do what we would; because these are  
 ‘ generally Times of Confusion and Trou-  
 ‘ ble, and of sore Evils upon Men: Or, if  
 ‘ the Case be clear, and we at Liberty, we  
 ‘ may then pray as we think right. But,  
 ‘ when the Dispute is once ended, and one  
 ‘ of the Competitors peaceably settled in the  
 ‘ Throne, we must then pray, as we must  
 ‘ obey; — for the Person who governs  
 ‘ (y) us.’ Upon which you must give me  
 leave to observe, 1. That, in such an Here-  
 ditary Kingdom as is here suppos’d, *the Case*  
 can hardly be ever so perplexed with Doubts,  
 but that we may *clearly* enough distinguish,  
 which of *the Competitors* is next of Kin; and  
 as such may easily *tell whom to pray for*, if  
 we are truly guided by the proper Considera-  
 tion of his Right and our Duty, and prefer  
 the Concerns of a good Conscience before  
 those of our Skin. But, 2. If we are influ-  
 enc’d by worldly Motives, and consider not  
 so much what we *ought* to do, as what we  
*may* do with Safety to our Persons, and with-  
 out incurring the Danger of those *Troubles*  
*and sore Evils* which you speak of, then in-  
 deed

deed *perhaps we cannot do what we would*, lest we should suffer in our Persons or Fortunes for doing our Duty: But no Consideration whatsoever can warrant or excuse us in the omitting what we ought to do, or the doing what we ought not to do. And, 3. 'Tis certain, *We may pray as we think right*, even in *Times of Confusion and Trouble*: For, tho' *perhaps we cannot do this so publickly as we would*, yet we may acceptably perform the Duty injoin'd in your Text, by doing it in the best manner our Circumstances will admit of. — But 'tis somewhat extraordinary that you say, ' We pray *against* no ' Man: We pray *for* all Men, not *against* ' any Man; not *against* our greatest (z) Enemy.' Now, one would think, that praying that Men may be *vanquish'd and overcome*, and *cut off*, &c. is a *praying* (a) *against* them. — But perhaps you will not allow, that we *pray against* our Enemies, unless we doom them to Eternal Damnation! Even as you elsewhere argue, ' Tho' we should pray ' for Usurpers, — yet do we not pray to ' God to bless them in their (b) Crimes, &c.' At this rate, not only *the Remarker*, but almost every body else, must be said still to ' mistake the Nature and End of the Prayers for our (c) Governors.' For, if (as Dr.

Com-

(z) Page 65.

(a) See the Notes on p. 40.

(b) Page 133.

(c) Page 65.



Comber observes) even in that short Versicle,  
*O Lord, save the King,* ‘ we do in one Word  
 ‘ with the King Prosperity and Peace, long  
 ‘ Life and Health, Victory and Everlasting  
 ‘ (d) Felicity:’ And if this, and the many  
 other Blessings more expressly pray’d for in  
 the behalf of our King, are to be construed  
 a *blessing* him, and praying against *all his*  
*Enemies*, as ’tis plain to common Sense they  
 are; then surely, the praying for an Usurper,  
 in the very same Form of Words, must be  
 a *blessing* him, and *praying against his Enemies*,  
 or the Enemies of his Usurpation; among  
 whom the Rightful Pretender, and his Adhe-  
 rents, must in all reason be look’d upon as  
 Principals: And, if Usurpation be a *Crime*  
 (as till now it has been thought) then, thus  
 to *pray for Usurpers*, must, in the very Na-  
 ture and End of such Prayers, be a *praying*  
*to God to bless them in their Crimes*; and that  
 must be confess’d to be an Abomination (e)  
 to him! Yet nevertheless, you would have  
 this Prayer, That God would give the King  
*the Victory over all his Enemies*, to be meant  
 only of ‘ those who are unjustly his Ene-  
 ‘ mies, or the Enemies of the Government:  
 ‘ For (*you say*) if a Man has just Reason to  
 ‘ be his Enemy, then it is the King who is  
 ‘ an Enemy to that Man, and not that Man  
 ‘ to the (f) King.’ But, not to insist on  
 the

(d) Companion to the Temple, Part i. Partit. ii. Sect. ii. n. 5;

(e) See the Notes on p. 34.

(f) Page 66.

the Singularity of this Construction, or its Inconsistency with the Words, *All his Enemies*; those who are dissatisfied with the Use of these Prayers, will from hence gain an Advantage over you, which you perhaps are not aware of: For they will conclude, upon their Principles, that they cannot in Conscience join in such Prayers for the Actual Governor, nor be present at such an Office, as, in common Sense and the Nature of the Thing, is generally understood to pray for *Victory over him whom they believe to have just Reason to be his Enemy.*

You are pleas'd to say, The Objections made by the *Remarker* ' may, with as much ' Reason and Justice, be made against the ' same Prayers put up for one whom he himself shall acknowledge to be a Rightful and ' Lawful King; except he will say, that no ' Rightful and Lawful King ever did a ' wicked or unjust (g) Thing, &c.' But here you seem to have forgot, that the Question in Controversy, is not whether the Person to be pray'd for, as King, be a wicked King; but whether he is indeed our King, or *Nobis Rex*, (h) as the learned Bishop *Andrews* well expresseth it.

And now I come to the Case of *Paying Tribute to Cæsar*; which you here undertake to shew, ' *to be a direct, clear, and full*  
' *Proof*

(g) Page 67.

(h) See the Notes on p. 26.



‘ *Proof of the Doctrine;*’ and which, you say, ‘ having been always judged to bear hard upon the Opinions of the Remarker and his Party, he seems to have taken a great deal of Pains to get quite clear of (i) it.’ But I think, Sir, it neither is such a *Proof*, nor needs much *Pains to get clear of it*. For, until you have answer’d your Remarker’s fair Question, ‘ Who was *Cæsar*’s Competitor? Or who else claim’d that Tribute but (k) *Cæsar*?’ *Cæsar* must be suppos’d to have had an undoubted Right; and consequently, all you have endeavour’d to build upon that Case, in favour of your actual or *de Facto* Governors, will fall to the Ground for want of a Foundation. You say indeed, ‘ What was *Julius Cæsar*, and *Augustus*, but Usurpers, in the very same Case with *Oliver Cromwell*, usurping upon the Rights and Liberties of the Common-Wealth, as *Cromwell* did upon those of King (l) and People? &c.’ But surely, you have forgot your own Concession, before taken notice of, that the Common-Wealth, that is, *the Senate and People of Rome*, did recognize the Authority of the (m) *Cæsars*: And when you have prov’d, that *the King* did the like for that of *Oliver Cromwell*, then (but not till then) you may be allow’d to talk rationally, like yourself, of their being *in the very same Case*.  
As

(i) Page 69.

(k) *Ibid.*

(l) Page 70.

(m) Page 6.

As to *the Right of Conquest*, you know it is quite out of our present Question; and therefore needs no farther Examination. Nor can *the Event or Success*, in that Case of the *Cæsars*, upon which you are pleas'd to triumph over your Remarker, as if you had him fast bound in a (n) Self-contradiction, be in the least applicable to the present Controversy, either on account of the *Conquest* or *Recognition* before-mention'd: And therefore, if the Remarker is so merrily dispos'd, I don't yet see, why he may not still ' make ' a jest of being determin'd by the Event or ' (o) Success,' as to the Case here in dispute between you, after all that you have said to the contrary. You seem to think you have him fast, when you expostulate thus; ' If it ' was neither shameful nor unlawful for the ' *Jews* to submit to their Conquerors, why ' should it be shameful or unlawful for ' others to submit to their Governors, who ' have a much better Title than that of Conquest; viz. the only Rightful Title which ' the Law (p) allows?' Why truly, Sir, where that is indeed the Case, it can be *neither shameful nor unlawful*, but must rather be their bounden Duty, *to submit*: But then, I presume, the *much better Title* which you speak of, and *the only Rightful Title which the Law allows*, cannot be that of mere Possession,

(n) Page 38 &amp; 71.

(o) Page 28.

(p) Page 71.



*session*, or *actual Government* only, for which you are so strenuous an Advocate ! Besides, your Remarker has wisely guarded his Concession, with this saving Clause, ‘ While they ‘ surrender only their own Right, and not ‘ that of another, who has a just Right (or ‘ Title) to their (q) Allegiance.’ But all the notice you take of that here, is to evade the Point, by observing, that ‘ in the Conquest ‘ of a Nation, the People neither surrender ‘ their own Right, nor that of another ; all ‘ is taken by (r) Force, &c.’ Which is very true : And yet, when there is not a Conquest, the People may possibly take upon them to *surrender the Right of Another*, without his own Consent, and endeavour to bind him, by their arbitrary and partial Act ; which will be a Case too hard for you to justify.

Your Assertion, ‘ That Allegiance is not ‘ personal, but (s) political,’ is contrary to the adjudg’d (t) Cases in our Law-books : But the Instance, by which you would illustrate it, is contrary both to Law and Reason. You say, ‘ A Woman is bound by the Law ‘ to her Husband so long as he liveth ; but ‘ when he is dead, she is loos’d from the Law ‘ of her Husband : So here, the first Husband is dead, and the Kingdom marry’d to ‘ (u) another.’ For, The Question here is  
not,

(q) Page 71.

(r) *Ibid.*

(s) Page 72.

(t) See the *Appendix*, No. iii.

(u) Page 72.

not, what she may do, when *the first Husband is dead*; for, in an Hereditary Kingdom, as is here suppos'd, the Law says, ' *the King never (a) dies,*' because, his next Heir does in the same Moment of the Demise, commence King, without the least *Interregnum*, (b) or Vacancy of the Throne. Supposing then a Woman not only to renounce her former Marriage, but to enter into Matrimonial Acts and Engagements with another, during her Husband's Life-time, can you acquit her of the Crime of Adultery? If not, consider how little Advantage you can gain by this Allusion.

You will not allow, that *Prayers for the King* are an *express and formal Recognition of the Right to the Crown*, but only (c) of the Possession; because ' an express and formal Recognition of Right to the Crown is the Matter of (d) Oaths.' What you say of *Oaths* is true; as is also that which follows, ' *Whoever is our King and Governor, and thereby intitled to our Allegiance and Obedience, is also intitled to our Prayers; to all the several kinds of Prayers enumerated by the (e) Apostle.*' But still the Question is, Whether he who is *actual Governor*, without any other Title than mere *Possession*, is justly intitled either to the one or the other.

K In

(a) Page 25.

(b) See the Notes on p. 53. & the *Appendix*, No. ii, iii

(c) Page 72.

(d) Page 73.

(e) *Ibid.*



In an Hereditary Kingdom, such as is here suppos'd, the Lawyers utterly deny that mere Possession gives a Right to *Allegiance*; and so do the Casuists deny the same as to *Oaths*: Why therefore should not the Divines be as scrupulous in respect of Prayers, as either of the other in Point of Oaths or Allegiance? But, to come closer to the Matter in Hand; surely, the praying for one by Name, as *our Sovereign*, and *God's chosen Servant*, acknowledging him to be *God's Minister*, and to have *his Authority*, &c. (as I have before observ'd) may properly be call'd a *Recognition of his Right to the Crown*, whether you will agree it to be an *express and formal* one or not: And consequently, a sincere Christian ought well to consider, before he presumes to make such a Recognition in his Addresses to God himself, as well as before he calls God to witness the Truth of it by an Oath. And if we are not bound in *Duty*, to put up *all the several kinds of Prayers here enumerated*, at all Adventures, for all *actual Governors*, without regard to their Titles, right or wrong (which is the Sum of your whole Argument) yea, and even for *Usurpers* too in Possession, much less can we be bound to *give Thanks* to God for them; which is as necessary a Part of the Apostle's Injunction as *Prayers* are.

Nor is the Case of the *Jews* praying for  
the

the King of *Babylon*, (f) any thing more to your Purpose, than all the rest, when 'tis observ'd that *they were* (g) *commanded* so to do, as you confess; and that the *Command* was from God himself, who expressly declar'd to them his Pleasure, that they should serve *Nebuchadnezzar* (by Name) King of *Babylon* (how wicked a Tyrant soever he was!) and should *seek the Peace of the City*, to which *he caused them to be carry'd away Captives*, and to *pray for it*; for, in the *Peace thereof* (saith the Lord) *shall ye have* (h) *Peace*. But, where shall we find such a Revelation of God's Will, as to the Case in Controversy? — Till you can produce it, I beg leave to remind you of *Jeremiah's* Message to *Hananiah*, *Thus saith the Lord, Thou hast broken the Yokes of Wood, but thou shall make for them Yokes of* (i) *Iron!* — And whether this Denunciation is applicable to any Case in our Modern History, I leave to your further Consideration.

As to all that relates to the *Jews* Scruples against paying Tribute to *Cæsar*, whether on account of his being a Foreigner, or an Idolater, I shall not interpose between you and the Remarker, further than to observe,  
1. That if they scrupled his Right to it on account of his Religion, then our Saviour's

K 2

De-

(f) Page 73.

(g) Page 73 &amp; 74.

(h) *Jeremiah* xxvii. & xxix. 7.(i) *Jeremiah* xxviii. 13.



Determination (as you construe it) will shew, that Difference in Religion, and even *Idolatry* itself, does not morally incapacitate a Prince for Allegiance, and the other necessary Duties of his Subjects. Or, 2. If their Scruple had respect to his being a Foreigner, it was no more than they had a Warrant for, in the Law of God and Nature; which nevertheless, in some particular Cases, God himself doth authoritatively, but no-body else can lawfully dispense with. But, 3. As you observe, ' That the Reason of the *Jewish* ' Scruples not being expressly set down in ' the Gospels, all that can be said in this ' Case, either by Ancients or Moderns, can ' amount to no more than probable (*k*) Con- ' jecture: ' So we may say of our Saviour's Answer; *the Reason* of which is no more *expressly set down* than the other. You are pleas'd to affirm, ' That the Answer given ' by our Lord, did conclude for *Cæsar's* Right ' to demand the Tribute, and their Duty to ' pay (*l*) it.' Now, supposing this, why might it not conclude so? Since *Cæsar's* Authority was confessedly recogniz'd and submitted to, by the only Persons who had any Pretence to a better Right, as he was now their Governor without any Competitor. But to argue, as you, and some others do, upon *Ascham's* Principles, that our Lord's

Answer

(*k*) Page 80.(*l*) Page 89.

Answer concluded for *Cæsar's* Right, because he was in *Possession of the Sovereign Power*, and had put his Image upon their (m) Coin, is, properly speaking, to talk without Book! For, as it is evident, that the Question was propos'd to him with a premeditated Design, to take Advantage against him from his own Words, and to ensnare him in his Answer; (n) so was his Answer guarded with Caution to avoid the Snare; and amounted to no more than a Command to *render*, or *restore*, to every one what is his proper Right and Due (in like manner, as *St. Paul* afterwards commanded the *Christians*, to *render to all their Dues; Tribute, to whom Tribute is* (o) *due, &c.*) not determining what was particularly due to *Cæsar*, and much less declaring that it was his Right, or any body's else, upon such precarious Principles as are here contended for. As to that idle *Fable*, which you have quoted from *Dr. Whitby*, to prove it a *receiv'd Principle*, among the *Jews*, and a Maxim in their Schools, ' that the receiving the Coin of any Person, as the current Coin of the Kingdom, was not only an Evidence of his being Possessor of the Kingdom, but also that he was own'd by the Inhabitants as their Lord and (p) Governor; ' it proves rather, that they had

K 3

not

(m) Page 90.  
(o) *Romans* xiii. 7.

(n) Page 81 & 88.  
(p) Page 91, 92.



not common Sense, either when they put the Question to our Saviour, or afterwards, when they made it an Article of his Impeachment, that he *forbade to give Tribute to (q) Cæsar*. And tho' you are pleas'd to affirm, ' that ' the Acts of Parliament in *England*, long ' before the Accession of the *Scottish* Race ' to the Crown of *Great Britain*, expressly ' determine in favour of the King, who is ' in full and peaceable Possession of the ' Kingdom, against all Claims and Rights ' (r) whatsoever ;' every one who is competently acquainted with our *Acts of Parliament*, must know, that they expressly determine the (s) contrary. So that your *threefold Cord* of the *Jewish Rabbinical* Notion, our *Saviours Decision*, and the Determination of our ancient *Acts of Parliament*, in favour of *Possession*, seems to me, Sir, to be quite untwisted.

The next thing remarkable is, your Interpretation of *St. Paul's Text*, concerning *the Powers that (t) be*. — You seem to be offended at your Remarker, for putting you in mind of the Case of *Cromwell*; who was undeniably for some Time the *Higher Power*, according to your Sense of the Phrase, tho' you confess ' he overturn'd (u) the whole ' Constitution to arrive at it.' But, you know, Sir,

(q) *St. Luke* xxiii. 2.

(r) Page 92.

(s) See the Notes on p. 35. and the *Appendix*, No. v.(t) *Romans* xiii. 1.

(u) Page 96.

Sir, the Word *Constitution* is variously defin'd, according to the Sense or Interest of the Powers in being. For thus, 'tis plain, *Cromwell*, and the rest of the Usurpers of those Times, tho' they had actually overturn'd the true and ancient Constitution of this Hereditary Monarchy, *as all the World (x) knows*; yet, having done this in a Case of the last Necessity, for the Preservation of the Protestant Religion, and the Security of their Liberty and Property against the Fears and Dangers of Popery and Arbitrary Power (as they demurely pretended!) did not only plead *Providence*, to justify what they had done (as the Remarker truly observ'd) but also insisted upon the *Benefits* to the Public, and particularly that *whatever Right there might have been in others, on account of Proximity of Blood, they, being all under a moral Incapacity of governing this Nation, were now, by the present Laws and Constitution, excluded, their Right extinguish'd, and subsisting no longer ; so that there could be no Competitor, no other Person having Right but the Powers then in Possession !* Thus, or to this effect, I say, the most notorious Usurpers have been wont to plead, as gravely as you do : And yet, *all the World knows* (and now we need not fear to say it, tho' in the Time of their Power it might have been call'd High-Trea-

K 4

son)



son) that all the Use and Application which they made of those Words, *Protestant Religion, Providence, Liberty and Property, Public Good, Law, Constitution*, and such like, was ‘ nothing but Cant, a common Topic (y) misapply’d;’ and a downright Imposture, to dazzle Peoples Eyes, to frighten them with big Words, and to cheat the Unwary out of their Duty to God, and his Vicegerent the King. But, when your Remarker speaks of the Case of *Resistance* against *Cromwell*, you say, ‘ Tho’ it was not unlawful to resist him, the Question is, Whether it was expedient so to do, after he was fully settled in that (z) Power?’ But, I think, Sir, *the Question* here before us, is not concerning *Expediency*, but *Lawfulness and Duty*; as your own Title-Page has open’d the Case to us. Every body knows, ‘ that all that is lawful is not (a) expedient:’ And the bloody Records of those Times shew also, ‘ that they who try’d the Expediency of it, try’d it to their (b) Cost.’ But whatever it *cost* them, it proves nothing to us, more than this, that, in Times of Usurpation, Good Men may be overpower’d, and the Prisoner at the Bar may be condemn’d to suffer what by Law is more justly due to the Mock-judge upon the Bench who pronounceth the Sentence. You are likewise pleas’d to say, ‘ It  
‘ is

(y) Page 125, 126. (z) Page 96. (a) *Ibid.* (b) *Ibid.*

' is certain, that the Restoration was not  
 ' brought about by resisting him or his Suc-  
 ' cessor, or any other Power set up after  
 ' them, but by a wonderful Guidance of  
 ' Providence, reducing all Things to the an-  
 ' cient Form and Constitution, by fair and  
 ' just Means, and by the Wisdom, Courage  
 ' and Conduct of one Man, General (c)  
 ' Monk.' Now, Sir, I would not be thought  
 to have a less regard than you have to the  
*wonderful Guidance of Providence*, or to the  
*Wisdom, Courage and Conduct* of that happy  
 Agent or Instrument, General *Monk* (of truly  
 Glorious and Immortal Memory!) in order  
 to that Restoration: Neither am I so for-  
 ward, as some might be, to animadvert upon  
 the *Antithesis* in this Period, between the  
*Resisting Usurpers*, in order to *the King's Res-*  
*toration*, and the Restoring him *by fair and*  
*just Means* (as if *Resistance* were not a *fair*  
*and just Mean* to such a just and righteous  
 End! Or, as if it might not *fairly and justly*  
 be us'd against Usurpers, but only against  
 Rightful Sovereigns!) But, this I cannot  
 avoid to insist upon, that if the whole Na-  
 tion had thought it their *Duty* to submit to  
 those Usurpers, who then were their *actual*  
*Governors* (according to your Doctrine) it  
 would not have been in the Power of *Man*,  
 to have brought about the Restoration: And  
 how



how far God's *Providence* might have interpos'd, to deliver an infatuated People, against their own Wills, it does not become me to determine. — *Against their Wills*, I say; because they must all have join'd in solemn Prayers to God for the Continuance, Prosperity and Success of those usurp'd Powers, according to your Doctrine; and then 'tis certain (as your Remarker properly observes) *if their Prayers had been heard, we should never have seen a (d) Restoration*. To which give me leave to add this Remark, by the way, That *the ancient Form and Constitution*, which you own to have been then so happily and *providentially* restor'd, was that of an Hereditary Monarchy, according to the strictest Laws of Succession by Proximity (e) of Blood.

When you come to speak of ' the known  
' Constitution of the Kingdom, and stand-  
' ing Laws of the Realm, which exclude all  
' Papists from the Throne,' you call it ' a  
' Law agreeable to the Constitution, and ab-  
' solutely necessary to the Safety and Secu-  
' rity of a Reform'd Nation; — a Law,  
' which a Free People have as much Right  
' to make, as any King had to the Crown;  
' a Right inherent and invested in them (*the*  
' *People*) by the Law of Nature, by the  
' Law of God, and by the Constitution of  
' the

(d) Page 45.

(e) See the *Appendix*, No. ii.

' the(*f*) Kingdom.' But you donot inform us where we may meet with this *Law of God* in the Holy Scriptures, nor quote so much as Mr. *Hobbs* for the *Law of Nature*; nor do you tell us of how long *standing* this has been *the known Constitution of the Kingdom*. And yet, this may well be thought the more necessary for you to have explain'd, forasmuch as your Readers will soon discover, that the *excluding all Papists from the Throne*, was no Part of *the known Constitution of the Kingdom*, at, or in Consequence of, the Reformation; nor ever was pretended to be among *the standing Laws of the Realm*, till after the late Revolution: And, will you say, it was then *made a Law by the People*? If not, 'tis vain and absurd, to talk of such an *inherent Right in them*: Especially to the Subjects of *Great Britain*, who never were such a *Free People*, in respect to the *making of Laws*: For that has always been the Prerogative of the King, tho' now not exercis'd without the Advice and Consent of his Subjects, the Three Estates in Parliament. And surely, *Kings* have had a *Right to the Crown* long before the *People* had any thing to do with the *making of Laws*, but only to submit to (*g*) them. For the more particular and evident Proof of which we need not go to the Kingdom of *Judah*, or any other abroad;  
since

(*f*) Page 97.

(*g*) See the *Appendix*, No. iii.



since 'tis demonstrable from our own Authentic (*b*) Records, that the Kings of England

(*b*) Time was, when those in Power did gravely talk of the Nation's just and ancient Right of being govern'd by its own Representatives! (APPENDIX, No. iv.) But the Truth is, 1. That the very first Time that the Representatives of the Commons appear to have been call'd to Parliament, was 49 Henry III. And then they were not elected by the Freeholders; but summon'd by the Sheriffs, according to such Qualifications as the King was pleas'd to prescribe. (Pryn's Plea for the Lords, &c. 4to. 1658. p. 375.) 2. The Commons had not so much as a Speaker of their House till 51 Edward III. (*Ibid.* p. 184.) 3. That the Reason of summoning them at first, and ever since, was only, to have their Consent to the Statutes to be made, &c. for the common Profit of the Realm; 'not to give them the least Share, ' Right or Interest in the Judicature, or Judgments of Parliament, as it is the Supreme Court of Justice.' (*Ibid.* & p. 197.) 4. That formerly the Laws were wont to run in this Stile, *The King unto his Justices, greeting; Know ye, that we have ordain'd, &c.* (Statute 21 Henry. III.) *The King commandeth, &c.* (Statute 51 Henry III.) *The King willeth and commandeth, &c.* (3 Edward I.) *Our Lord the King granteth, &c.* (13 Edward I.) *Our Lord the King, in his full Parliament, by a general Council hath ordain'd, &c.* (20 Edward I.) — *at the Instance of the Nobles of his Realm, hath granted and commanded, &c.* (21 Edward I.) *The King, at his Parliament, at the Request of the Commonalty of his Realm, by their Petition, &c. hath granted, &c.* (1 Edward III.) — 'The Prelates, Great Men and Commons, ' seeing the Mischiefs, &c. pray the King in this present ' Parliament — to ordain Remedy.' (43 Edward III.) *Our Lord the King, by the Assent of his said Parliament, hath ordain'd, &c.* (14 Richard II.) — *By the Assent of the Prelates, Lords and Commons, hath made, &c.* (20 Richard II.) — *By the Advice and Assent of his Lords Spiritual and Temporal, and at the Request of the said Commons, &c.* (1 Henry IV.) — *and by Authority of the same Parliament.* 11 Henry VI. 'Our said Lord the King, by the Advice ' and Assent of his Lords Spiritual and Temporal, and at ' the Request of his said Commons in the said Parliament ' assem-

*land* had an undoubted and inherent *Right to the Crown*, many Ages before the *People*, or their Representatives, were admitted to Parliament; and that even to this Day the *People* (as *free* as you would make them!) have no *Right* or Authority at all to *make Laws*, nor can so much as assemble to give their Consent to them, without the King's Writ of Summons: And even then too, they are all bound to separate and return home again, whenever it pleaseth the King to give the Word for their Dissolution or Prorogation. So that all your Conclusions from these Premises, for *Praying* and *Swearing*, are without Foundation.

Your Censure also of your Remarker, as 'if he intended to impose on his (*i*) Readers,' is too severe at least, if not unjust. 1. Because, tho' there does not appear the common Mark of *Quotation* (which they call *Turn'd Comma's*) to *distinguish* what he has quoted of St. *Chrysostom's* from what *he has added*

‘ assembled, and by Authority of the same, hath declar'd, ‘ establish'd and enacted in the said Parliament, &c. (1 *Edward IV.*) ——— To the King our Sovereign Lord, ‘ prayen the Commons in this present Parliament assembled, That where, &c. please it therefore your Highness ‘ ——— to ordain, &c.’ (19 *Henry VII.*) ——— ‘ We ‘ your most humble, faithful and obedient Subjects, the ‘ Lords Spiritual and Temporal, and Commons in this present Parliament assembled, ——— representing the *Three Estates* of your Realm of *England*, ——— most humbly ‘ beseech your Highness, that by the Authority of this ‘ Parliament, it may be enacted, &c.’ (1 *Elizabeth c. 3.* § 1, 2.)

(*i*) Page 93.



*added of his own*; yet you can't but know, that such Overights frequently happen at the Press; and therefore it might reasonably have been expected, that a Gentleman of Candour would rather have imputed that slight Omision to the Carelessness of the Printer, than have charg'd it as a design'd *Imposition* of the Author! And that too the rather, 2. Because the very first Page of this your *Vindication* is the Proof of a like, or a greater, Inadvertency, where the printed Title might possibly be liable to the same Censure, as if you had *intended to impose it on your Readers* for the *Remarks* on your Sermon; whereas the necessary Addition of those Words inserted with a Pen [*Answer'd Paragraph by Paragraph*] shews, that it is not the *Remarks* themselves, but an *Answer* to them: And again, in a Recital of what you have mark'd for *Paragraph XI.* of the *Remarks*, there is a whole Line in the middle of it, with the same *Marks of Quotation*, and no way *distinguish'd* from the rest; tho' I find, on collating them, that these Words here next following [*and that on the very Day of their (k) Coronation*] are not in the *Remarks*, but an Insertion of your own. Nay, after all your Care to have the *Remarker's Arguments reprinted (l) Verbatim*, there is a very material one, concerning *Christ's Refusal of the Kingdom*

(k) Page 51.

(l) Preface &amp; Page 145.

dom at the People's Hands, &c. (m) quite left out of your Quotation; besides many other less considerable Variations. All which Interpolations and Castrations, &c. I impute rather to the Printer's Oversight, than to any *Intention* in you to *impose on your Readers*; as you, with a little more Candour, might have done the other.

But, what if the Words here in Dispute are 'not (n) in St. Chrysostom?' Do they therefore deserve no other Notice but a mere Quibble about the Typography? St. Chrysostom, explaining that Text of St. Paul, Romans xiii. 1. does, even according to your own Translation of it, observe, that 'Government, taken in general, is indeed from God, but so is not every Governor' (as your Remarker has fairly cited him from the Original Greek.) (o) 'For there is no Authority, says he (St. Paul) but what is from God. What say'st thou? Is every Ruler then ordain'd of God? I say not this, says he: I do not now speak of every individual Person that governs, but concerning the Thing (p) itself (*Authority*) &c.' Which that Great and Learned Father illustrates by the Case of *Marriage*; saying, 'God hath instituted Marriage; not that God hath join'd every Man that cohabits with a (q) Wo-

(m) Page 76.  
(p) Page 98.

(n) Page 98.  
(q) Page 99.

(o) Page 93.



Woman, &c.' Upon which your Remarker argues thus; 'As therefore all Property is from God, but not if it be obtain'd by Theft; and as the Union of Man and Wife is from God, but not if it be founded in Adultery; so neither is the Relation of a Governor and those govern'd by him, from God, if it be founded in Usurpation; because, tho' all just Possession be from God, yet unjust Possession is (r) not.' And what do you reply to this? Is not the Inference from St. *Chrysoſtom* just? Why, you say, '*Chrysoſtom* speaks not a Word of the Relation between a Governor and those govern'd by him, or the relative Duties between King and People: He only distinguishes between the Thing itself (Authority, or Power establish'd by God) and the Persons who exercise it; as Mr. C. has also (s) done.' But, Sir, methinks, this your Reply is somewhat fallacious. For, 1. St. *Chrysoſtom*, having spoken of Government and Governors, by way of allusion to the Relation between Man and Wife, as is already noted, immediately subjoins these Words (as you have translated them) 'For we see many cohabiting together, not by the Law of Marriage, but in Sin; for we do not ascribe this to (t) God.' Now, would not any one fairly understand by this, as much, as if he had said,

(r) Page 94.

(s) Page 98, 99.

(t) Page 99.

said, in plain Terms, When we see Governors actually possess'd of the Power by Usurpation, *we do not ascribe this to God?* For, I presume, you will not yet dispute, whether *Usurpation* is a *Sin*! And, 2. How can you say, that *St. Chrysostom* only distinguishes *as you have done?* When he plainly distinguishes between *Authority* and *Power*, using the Word *Εξουσία*, properly and distinctly, for the former; whereas you have translated it *Authority* in one Sentence of this Quotation, and *Power* in another; and use them every where indifferently, as if they were (a) Synonymous Terms. And so likewise he does not say, that *every Ruler is ordain'd of God*, or that *there is no Ruler but what is of God*: But you have not only said this in effect, but endeavour'd to prove it; or else it will not be easy to understand the whole Drift of this your *Vindication*.

You say, ' It lies upon the Remarker, or  
' those of his Opinion, to prove, by Law or  
' Reason, or the Practice of all Nations, or  
' the Word of God, that a Man's usurping  
' an Authority or Power which he has no  
' just Title to, does *ipso facto* dissolve the  
' Relation, between the Power itself, and  
' those who are under that Power; ' *the contrary of which* you suppose to be (b) *evident*.  
But I cannot tell how to understand this,  
L unless

(a) See the Notes on p. 15.

(b) Page 100;



unless you could first *prove a Relation* between such an *Usurper* and the People under his Power; the contrary of which seems to be evident by all the Laws you have mention'd. To talk of *dissolving* a Relation which never properly subsisted, is an Absurdity not worthy of a serious Answer: For the *Relation* is between the Rightful Prince and his Natural-born Subjects (as the Learned in the Law teach us) which must still subsist and oblige, and cannot (c) be *dissolv'd* by any Usurper or Usurpation whatsoever; as I have also more particularly exemplify'd in the Case of an Intruder (d) into your own House and Family. 'Tis true, ' whoever ' has the Power, will be obey'd,' as you (e) say. But the Question is not about the *Power*, or the *Will*, to enforce Obedience; but the Right to that *Obedience*: Nor are we concern'd to enquire what *he may claim*, or his own mercenary Interpreters of Laws may pretend, to be *due* to him; but what is really due to such an one by the Laws of God and Man; neither of which can be fairly interpreted to favour mere Possession, (f) without

(c) See the *Appendix*, No. iii.

(d) See p. 60.

(e) Page 99.

(f) How little regard the Law had to the Title of *Possession* in the three *Henrys* of the Line of *Lancaster*, as well as to that of the Lady *Jane Grey*, and *Oliver Cromwell*, appears already (p. 53, 55, 107, 115.) But, because some People lay a great Weight upon the Statute 11 *Henry* vii. c. 1. which seems indeed to favour the *King for the Time being in Possession*, it may be proper to observe

out and against Right. And, as *hard a Task* as you may think it, ' to distinguish between ' those Kings who had their Authority from ' God, and those who had it (g) not ;' the Distinction is easy enough, when we consider, that *Birth-right* itself is an Evidence of

L 2

a

serve how that Statute was interpreted, 1. In the Case of the Duke of *Northumberland*, whose Plea for his Proceedings in favour of *Jane*, Queen *de Facto*, in Opposition to *Mary*, Queen *de Jure*, was grounded on this very Statute: But the Judgment of his Peers was, ' That the Great Seal he had ' for his Warrant, was not the Seal of the Queen of this ' Realm, nor passed by her Authority; but the Seal of an ' Usurper, and therefore could be no Warrant to him.' And accordingly, the said Duke, and several others, were attainted and executed. Which Judgment and Attainder was confirm'd by Act of Parliament (1 *Mary* c. 16.) as *just and legal*, notwithstanding the Statute 11 *Henry* vii. ' which extends only to indemnify those Subjects *who do their true ' Duty and Service of Allegiance* to their King and Sovereign Lord; which none certainly do who adhere and join with ' an apparent Usurper in Possession, against their Lawful ' and Undoubted King and Sovereign Lord; as they here ' adjudg'd, and the Parliaments of King *Edward* IV. long ' before, &c. (*Prynne's Plea for the Lords*, 1658. 4<sup>to</sup>. p. 497, 498.) And, 2. This Act 11 *Henry* vii. c. 1. ' could ' not secure — those Lords, Gentlemen, and other *English* Subjects, — who accompany'd, assisted our late ' King (*Charles* I.) in his Wars against the Parliament, tho' ' King *de Facto* and *de Jure* too, without any Competitor. -- ' How then it can totally indemnify any — apparent ' Usurpers of the Crown without Right or Title, who shall, ' *per fas aut nefas*, get actual Possession of the Royal ' Throne, and be Kings *de Facto*, or secure all those who ' faithfully adhere unto them (tho' to dispossess the King *de ' Jure*, or his right Heir, of their just Royalty and Right, ' against all Laws of God, Man, all Rules of Justice, &c.) ' — transcends both my Law and Reason too.' (*Ibid.* p. 481, 482.) See also the Notes on p. 55, 115, & the *Appendix*, No. v.

(2) Page 100.



(b) a Divine Designation and Authority. However, as to the Kings of *Israel*, you say, ' They had their Authority from God, as much as the Kings of *Judab* had to the Throne of *Judab*, except the last four or (i) five.' But here you seem to have forgot, what you have before acknowledg'd, ' that the Kingdom of *Judab* was Hereditary, being entail'd on *David*, and his Heirs, by Divine (k) Appointment.' And every one who can read the Bible may easily perceive, that there was no such Divine Entail, and Hereditary Succession of the Kings of *Israel*, after the Revolt of the Ten Tribes under *Jeroboam*, as to warrant your Comparison. — But of this, perhaps, we may find another Occasion to treat more at large hereafter.

Your Remarker having charg'd you with endeavouring to *make God the Author of (l) Usurpation!* you screen yourself against this, under what you call a *Providential (m) Right*: In the Explanation of which you say, ' If the Most High ruleth in the Kingdom  
' dom

(b) Bishop Lloyd, discoursing of *God's Ways of disposing of Kingdoms*, observes, ' that the Government being made Hereditary, there was no need of any other Human Act for the Continuance of it in their Family. There is nothing more sacred among Men than a Right of Inheritance. But for the Derivation of that Right to their Persons, they owe it only to God: For it comes to them by their Birth; and they owe their Birth only to God,' (Bishop of St. Asaph's Sermon 5 November, 1690. 4<sup>to</sup>. p. 15, 16.)

(i) Page 100. (k) Page 52. (l) Page 100. (m) Page 103.

‘ dom of Men, and giveth it to whomso  
 ‘ ever he will, then he (to whomsoever he  
 ‘ giveth it) hath an undoubted Right and  
 ‘ Title to it, and doth no Injury or Injustice  
 ‘ to any, because he receives it from him who  
 ‘ has the Paramount Right to dispose of it  
 ‘ according to his (n) Pleasure.’ But, Sir,  
 without making the least Question as to  
 God’s Prerogative to do this, may it not be  
 reasonable to ask for some better Evidence  
 of God’s Interposition, than that of bare  
 Events or Success? For every successful Rebel,  
 or Usurper, may plead such a Right as this:  
 And if this be your *Providential Right*,  
 then you must either be liable to the Impu-  
 tation of *making God the Author of Usurpa-*  
*tion*, or else deny, that there is, or can be, any  
 such thing as *Usurpation*. — For, where  
 you affirm, that this *Providential Right* ‘ is  
 all the Divine Right that any King in the  
 ‘ World can pretend (o) to,’ you would  
 make all actual Possessors of Kingdoms to  
 have equally an undoubted Right and Title;  
 notwithstanding the Preference is so evidently  
 given to the Right of Primogeniture and  
 Proximity of Blood, in the Law of God,  
 as well as the general Laws of Nature and  
 Nations: For the full Proof of which I re-  
 fer to *the Prerogative of Primogeniture, &c.*  
 by David Jenner B. D. in 8vo. 1685. and

L 3

thg

(n) Page 105.

(o) Page 103.



*the short History of the Regal Succession, &c. in the Holy Scriptures; 4th. Edit. in 8vo. 1731.* which being fairly examin'd, and compar'd with your *Enquiry into the Right and Title of the Kings of Judah and Israel, &c.* will probably give all unprejudic'd Readers a much clearer *Light into this (p) Controversy*, than that in which you have set it.

But you seem to have furnish'd yourself with a very short Reply to all Arguments which do not suit your present Taste; by ridiculing them as '*wild and unaccountable Notions*,' and representing their Authors as '*Enemies to the present Establishment*,' and Men '*govern'd by their Passions or (q) Prejudices, &c.*' Tho' your modern Zeal has transported you so, that you have not consider'd, that the *Notions* upon which you here pass so *rash* a Censure, were receiv'd and allow'd as ancient Truths, before *the present Establishment* had any Being: And therefore, before you had condemn'd them, you should first have clearly distinguish'd, in what *Cases* that inherent Right of Nature may be *broke in upon*; what is *the most urgent Necessity* for so doing; who are to be the Judges of that *Necessity*; and, after all this, who has a competent Authority to do it; as I have already intimated to (r) you.

You say, ' God prescrib'd no one Form  
' of

‘ of Government to all Nations, in his  
 ‘ Word, nor by any other way that we  
 ‘ know of; but left them herein to their  
 ‘ Choice and (s) Liberty.’ But, you will ex-  
 cuse me here, if I put you in Mind of the  
 Beginning of *Genesis*; where it appears, that  
*Adam*, the common Father of *all Nations*,  
 was invested with a Monarchical Authority,  
 by God himself, over all who should proceed  
 from him: And his eldest Son had the like  
 Authority to rule over the younger. — But  
 where we shall find the like Prescript for any  
 other *Form of Government*, or where the  
 People were left to their own *Choice and Li-*  
*ber*ty, it lies upon you to shew us; for, all  
 you have said of it, is but begging the Ques-  
 tion.

You are offended at your Remarker, for  
 answering one Text of Scripture with ano-  
 ther. To prove your *Providential Right*,  
 you had quoted *Daniel* iv. 7. that ‘ *the Most*  
 ‘ *High ruleth in the Kingdom of Men, and*  
 ‘ *giveth it to whomsoever he (t) will.*’ And  
 to shew you, that this is not to be under-  
 stood absolutely, as if every Revolution of  
 Government must of course be ascrib’d to  
 God’s Approbation, because it cannot happen  
 without his Permission, he very pertinently  
 puts you in Mind (u) of *Amos* iii. 6. where  
 ’tis said, ‘ *Shall there be Evil in a City, and*

L 4

‘ *the*



‘ *the Lord hath not done it* ;’ which must undoubtedly admit of a Distinction. — But you say, ‘ What is all this to the (x) Purpose? &c.’ Why truly, Sir, thus much, That *Revolutions* in Government, as well as other Things, may be *evil* and sinful, by means of ‘ sudden Insurrections, Convulsions, and ‘ Usurpations of wicked or ambitious Men ;’ which, by your own Confession, ‘ are not to ‘ be ascrib’d to God as the Author ; for he ‘ is not the Author of (y) Sin.’ And, if so, ’twill be a strange Stretch of Logic, to conclude it *lawful and a Duty* not only to submit to those wicked or ambitious Men, who may become *actual Governors* on such a Revolution, but to *pray* to God to *strengthen* and *prosper* them in their Usurpation ! ’Tis true, God may permit them to succeed for a Time, to answer some wise Ends of his Divine Providence : But surely, the Subjects cannot be bound to *pray*, and *give Thanks* to God, for their Success in such an *Evil*, without looking upon (z) Him as the *Author* of it.

(x) Page 107.

(y) Page 105.

(z) ‘ To deny God’s Providence, is to shut him out of his own World ; but to ascribe wicked Actions to the Divine Providence, is the greater Injury of the two. For, the *English* of God’s Providence is, *As God would have it*. Now, when this is apply’d to Usurpation, which is Robbery and Wrong in the highest Degree, and to the Conquest and Enslaving of a Free Nation, which is the most outrageous Oppression ; to say, that these are by God’s Providence, is to say that Robbery is *as God would have it* ;

it. I need not therefore enter here into a particular Examination of the Chain of absurd Consequences, which you endeavour to fasten upon your (a) Remarker. For, his *Objection* being thus pertinent to his *Purpose*, and fairly conclusive against your too-general Doctrine, will acquit him of your invidious Charge (b) of *Shuffling*; and whether he may not retort the Reflection back upon yourself, 'tis your Business, not mine, to consider.

As to the Case of *Absalom*, you say, it is *not at all to (c) the Purpose*. But after all you have objected, I cannot but be of another Opinion. For, tho' you say, i. 'What *Absalom* might think or plead is nothing to the Purpose, but what he could in Truth and Justice (d) plead;' it is at least thus much *to the Purpose*, to shew, that wicked  
and

' it, and Oppression is as God would have it. But this, all the World knows, is contrary to God's known and revealed Will: And therefore, as the Atheists deny God, so these Men make him to deny himself!' (*Samuel Johnson's Argument proving the Abrogat. of King James, &c. 4to. 1692. Preface, p. 39, 40.*) 'The Disposal of all other Things is attributed to God in Scripture, as well as Promotion; and if this Promotion be attain'd by wrongful and wicked Means, such as Usurping, Conquering, and Enslaving a Nation, plainly are, it is Blasphemy to ascribe this ill-gotten Promotion to God. For Instance, *Proverbs xvi. 33. The Lot is cast into the Lap; but the whole disposing thereof is of the Lord.* Now, I say, to apply this Text to a foul Throw and Coggling the Dice, is Blasphemy: And to say, that God has dispos'd and transferr'd the 100 l. Stake to this false Gamester, and that now he has a Divine Right to it, is repeated Blasphemy!' (*Ibid. p. 41.*)  
(a) Page 107. (b) *Ibid.* (c) Page 139. (d) Page 109.

and ambitious Men may pretend a *Providential* Right, to justify them in the most illegal and unnatural Usurpations. And, supposing what you say, 2. ' That tho' all the ' World knows now of the *Evil* threatned ' to *David* for his great Sin, yet it is a Question, Whether it was known at the Time ' to *David's* Subjects, or even to his (e) Family: ' And if I should gratify you so far, as to admit it to be ' much more probable, ' that the Message from God was deliver'd ' by the Prophet to *David* himself, in private, and not divulg'd to (f) others: ' Yet, since there actually was such a *Message from God, threatening to raise up that Evil against David*, which *Absalom* afterwards executed, surely, he might have pleaded, ' that what ' he did was by the unerring Will of God, ' by a particular Providence, and even by an ' express (g) Prophecy, &c.' at least as properly as the like can be pleaded in any other Case, where there is not any Pretence of such a Message, either public or private. 3. You justly observe, ' That had *Absalom* been ' a righteous Person, — he would have ' said, *Tho' Evil is denounc'd against my Father, God forbid that any of his Sons, —* ' much more that I, — should be the Author of this Evil unto him! ' Because it ' might as well have been fulfill'd by any ' other

(e) Page 109.

(f) *Ibid.*

(g) Page 108, 109.



' other Person, rather than one of his own  
 ' Sons; who could hardly be thought capa-  
 ' ble of so much Wickedness, as to (b) rebel,  
 ' &c.' But yet, this does not prove *Absa-*  
*lom's* Case to be impertinently cited by the  
 Remarker: Since even here, by your own  
 Confession, tho' God's Denunciation of that  
 Evil to *David* had been divulg'd, and *Absa-*  
*lom* had known it, he could not be a *Righ-*  
*teous Person* in the fulfilling it; the Thing in  
 itself being a monstrous *Wickedness*, to rebel  
 against, and usurp upon his *Father* and So-  
 vereign! &c. And consequently, the Peo-  
 ple of *Jerusalem* could not be bound in *Duty*  
 at that Time, to *pray and give Thanks* to  
 God for *Absalom*, when he thus became their  
*Actual Governor*; which is the Point your  
 Remarker has objected to (i) you. And,  
 whereas you say, 4. ' *Absalom* could never  
 ' think or plead what the Remarker has al-  
 ' ledg'd for him, because he had no Com-  
 ' mission from God to do what he did; no  
 ' Prophet sent to him; no Anointing with  
 ' Oil (k) before-hand:' 'Tis true, without  
 these his Plea must have been unjust, and  
 blasphemously prophane. But it does not  
 necessarily follow, that a *wicked and ambi-*  
*tious Man* (such as you have describ'd to be  
 most apt to engage in the like (l) *Revoluti-*  
 ons)

(b) Page 110.

(k) Page 110.

(i) Page 109.

(l) Page 105.

ons) might not *think or plead* at this rate, however unjustly ; for you admit, that such Men *may think or plead what they cannot in Truth and Justice* (m) *plead*. And, with great Submission, Sir, it seems well worthy of your Second Thoughts, whether your own Plea, here so strenuously insisted on, so far as it relates to your *Providential Right* of all *Actual Governors*, as such, may not lie open to the same Objection, and for the same Reasons which you have here objected to that of *Absalom*. And, tho' you are pleas'd to say, 5. ' That God did not give the Kingdom ' to *Absalom*, but soon brought his Rebellion ' and Usurpation to an End, and himself to ' an untimely (n) End ;' Who could foresee this while it was in its flourishing State? Or what is it to the purpose, whether it was brought to an End *soon* or late? Your own Argument, that Kings ' hold their Crowns ' and Kingdoms of the Majesty of Heaven, ' by no other Tenure than *Durante beneplacito*, or *quamdiu bene se* (o) *gesserint*, supposes it to be absurd, to object against any *Providential Right*, the short Time of possessing it. For, as ' they are only the Servants of the great God of Heaven, the ' Ministers of his Kingdom upon Earth, ' whom he may turn out at his Pleasure, ' and put others in their (p) room,' it would be

(m) Page 109. (n) Page 110, 111. (o) Page 32. (p) *Ibid*.

be very absurd, according to your Scheme, to argue as if they had a Grant for a certain Term of Years! You cannot but know, that some have enjoy'd the Kingdom, and actually had all that which you term a *Providential Right*, fifty or sixty Years together, or more, who yet (for one single Defect in their Titles) have been confessedly as arrant Usurpers as *Absalom* was. Another of your Arguments is this, 6. ' *David* had given no Cause to the People to revolt from (q) him.' And I grant you, that there was *no Cause* to justify the People in their Revolt. For he, being their Sovereign, was not accountable to them; as he declares, even in his solemn Penitentials to God, saying, *Against Thee, Thee only, have I sinn'd, and done this Evil in thy (r) Sight*. But the Question is not, Whether *David* had given Cause to the People to revolt; but, Whether the People did not take occasion to pretend such Cause? Now, 'tis evident, that *Absalom* had insinuated many Defects of Justice, and other great Grievances, wanting Redress in his Father's (s) Administration: And that such his Insinuations were so effectual, among the giddy Multitude, that thereby he *stole the Hearts of the Men of (t) Israel*; and the Conspiracy was strong; for the People increas'd continually  
with

(q) Page 111.

(r) *Psalms* li. 4.(s) 2 *Samuel* xv. 3, 4.(t) *Verses* 6.



*with (u) Absalom.* And, in Truth, when we consider, how *David*, having first defil'd *Uriah's* Bed, did, in a most illegal, arbitrary, tyrannical and wicked Manner, concert and procure the injur'd Person to be murder'd, 'twill not be very easy to shew, what could more justly possess the People with 'perpetual Fears and Alarms of destroying their 'Religion, Laws and (x) Liberties;' or what could be a more likely and natural *Cause*, to incite them to *revolt from him*, than such an outrageous Breach of the Laws both of God and Man, not only *attempted*, but actually executed. — But, because *Comparisons are odious*, I shall forbear to press this Point with all its hideous Aggravations.

In the next Place, you object to the Remark, that 'the Facts here are much misrepresented, and the Term, *Revolution*, very 'improperly apply'd.' For Proof of which, you say, 1. 'A sudden Insurrection, or Rebellion, which never acquir'd any Settlement or Possession, but was quell'd and suppress'd in its Infancy, was never call'd a '(y) *Revolution*.' But, before they were quell'd and suppress'd, I suppose, even you (if you had liv'd within the Reach of their Power) would have thought it proper, and more prudent to give them the softer Term of *Revolutions*, rather than have bluntly call'd

(u) Verse 12.

(x) Page 112.

(y) *Ibid.*

call'd them by their proper Titles. As for Instance now in *Corfica*, if you were an Inhabitant there, under the Power of their new King *Theodore*, would not you be apt to call it a *Revolution*? Yes, surely; and acknowledge him to have a *Providential Right* too, upon your Principles (for he is in *Possession*, and not yet *quell'd and suppress'd*;) tho', if you liv'd under their Sovereigns at *Genoa*, no doubt but you would have call'd that whole Transaction a *Rebellion*, and him an *Usurper*! For so we commonly find the Terms *Revolution* and *Rebellion* to be convertible, and variously us'd, according to the Circumstances of Affairs, and the Sense of the Parties who apply them: As the Insurrection of *Monmouth*, being *quell'd and suppress'd in its Infancy*, passes under its proper Title of a *Rebellion*; which if it had succeeded, and continued till now, had been call'd a *Glorious Revolution*! However, if you rather chuse to have all Insurrections against Rightful Powers, call'd downright *Rebellions*, I shall not contend with you about it. But, you insist, 2. That '*Abjalom* was never Actual (2) Governor.' And why so? Because, 'to be Actual Governor, a Man must be in the Actual Possession of the Kingdom; his Authority recogniz'd, at least, quietly submitted to by the People; he must appoint the

‘ the Judges, Magistrates and Officers; the  
 ‘ Laws, public Acts and Deeds must run in  
 ‘ his Name; and he must imprint his Image  
 ‘ on the current Coin of the Kingdom: Not  
 ‘ one Tittle of all which was done, or could  
 ‘ be done by (a) *Absalom*.’ But was not  
*Absalom* in the *Actual Possession of the King-*  
*dom*, and, as such, look’d upon by his Adhe-  
 rents to be their *Actual Governor*? When he  
 took upon him to (b) *reign*, and *the Hearts*  
*of the Men of Israel* were *after* (c) him, and  
 they attended him in his (d) *Army*; when  
 he was recogniz’d by the People in general,  
 under the Royal Title of *King*; as appears  
 not only by *Hushai*’s Court-like Addresses to  
 him, in Compliance with the Mode, even by  
*David*’s own political Order; (e) (all which  
 had been impertinent, and could not have  
 answer’d the End design’d, if *Absalom* had  
 not been generally look’d upon to be *Actual*  
*King and Governor* over all *Israel*, in the  
 Place of his dispossest’d Father *David*;) but  
 also by *Shimei*’s Words, *The Lord hath deli-*  
*ver’d the Kingdom into the Hands of* (f) *Ab-*  
*salom*. To this last indeed you object, that  
 ‘ what *Shimei* said, was without any Ground  
 ‘ or Warrant, and proceeded only from En-  
 ‘ mity to *David*, and his Friendship to the  
 House

(a) Page 112 and 113. (b) 2 Samuel xv. 10.

(c) Verse 13. (d) 2 Samuel xvii. 24.

(e) 2 Samuel xv. 34. xvi. 16. and xvii. 11, 18, 19.

(f) 2 Samuel xvi. 8.



‘ House of (a) *Saul, &c.*’ But whatever it proceeded from, neither he nor *Hushai* had imputed that Revolution to the Lord’s Doing, if it had not been true in Fact, at least, that the Kingdom was turn’d from *David* to *Absalom*, and that he was look’d upon to be actually in Possession of it. And did he not appoint *Officers*, such as the State of Affairs then requir’d, when he call’d to his Council (b) *Achitophel*, and (c) *Hushai*, in the Presence of *all the Elders of* (d) *Israel*; and when he levied *all the Men of Israel*, and made *Amasa Captain of the Host*, instead of (e) *Joab*; issuing all such King-like Orders as Occasion requir’d? And if he did not also appoint *Judges* and other *Magistrates*, or imprint his Image on the current Coin, it was plainly not for want of Power (or *Authority*, as you are pleas’d to call it) but only because he had no occasion so to do. How then can you say, that *not one Tittle of all this* (which you make the Characteristic of an *Actual Governor*) *was done, or could be done, by Absalom?* — But you seem to be somewhat liable to your own Censure of *misrepresenting* (f) *Facts*, not only in what I have already noted, but also in what follows; where you add to all this, 3. That *David* was not *dispossess’d* (g) *of the Kingdom*. What you say,

M in

(a) Page 111.

(b) 2 *Samuel* xv. 12. and xvi. 21.(c) 2 *Samuel* xvii. 5.

(d) Verse 4.

(e) Verse 24, 25.

(f) Page 112.

(g) Page 113.

in general, is indeed very plausible, that ‘ a  
 ‘ King is never accounted *dispossess’d* of the  
 ‘ Kingdom, who continues in the Kingdom,  
 ‘ and has his Officers, his Friends and his  
 ‘ Army about him, (b) strong enough to  
 ‘ beat the Rebels.’ But whoever duly ex-  
 amines the History of that *Revolution* (for so  
 I think it may yet be call’d without any *Im-  
 propriety*) as it is set down in the Holy Scrip-  
 ture, may find, that *David* was reduc’d to so  
 great Distress, that he was forc’d on a sudden  
 to *flee* for his Life to *escape* from (i) *Absa-  
 lom*; and to go where he might hope to be  
 safe from his Enemies; being in doubt *whether  
 in Death or* (k) *Life*: That he *wept as  
 he went up, and had his Head cover’d, and  
 went barefoot, and all the People that was with*  
 (l) *him*; That it was accounted highly cri-  
 minal to correspond with (m) him: And  
 that he was driven to the Necessity of flying  
 by Night *beyond* (n) *Jordan*; whither also  
*Absalom* pursu’d, and *all the Men of Israel*  
*with* (o) *him*. ’Tis true, this Army was at  
 length remarkably defeated by *the Servants*  
*of* (p) *David*: But this happy Event is not  
 ascrib’d to any *Strength* that *David* had, in  
*his Friends and his Army about him*; but  
 wholly to the Providence of God, who was  
 pleas’d

(b) Page 113.

(i) 2 Samuel xv. 14.

(k) Verse 20, 21 and 26.

(l) Verse 30.

(m) 2 Samuel xvii. 19.

(n) Verse 22.

(o) Verse 24.

(p) 2 Samuel xviii. 7.

M<sub>2</sub> had

(r) 2 Samuel xviii. 9.

(t) Page 113.



had abdicated the Government, and left the Throne vacant, this however is evident, that such an Abdication was never accounted a Forfeiture of his Right, or any Bar to his Restoration. Upon the whole Matter, so clearly does it appear, that *David* was, for some Time, *dispossess'd*, and *Absalom* the *Actual Governor*, that, according to your Principles, it must have been the Subjects *Duty* to have *pray'd* for the latter rather than the former, *so long as the Power was in his Hands*. For this is the very Argument by which you hold it to have been lawful to pray for (u) *Cromwell*, whose Title was no better than that of *Absalom*, unless that the one *died in his Nest* (as your Remarker (x) expresses it) and the other on a Tree!

But now, that I have had this Occasion again to mention *Cromwell*, who certainly had all the Marks by which you denote an *Actual* (y) *Governor*, I shall turn back to take a Review of the *Reasons* which you have given for your extraordinary *Opinion*, that such an *Usurper* as he was, *is to be pray'd for as our* (z) *Governor! viz.* 1. ' Because  
 ' the Higher Powers, under whom this, and  
 ' all the other Precepts — were given, —  
 ' were Usurpers, or those who deriv'd their  
 ' Power from (a) Usurpers.' But your Mis-  
 take

(u) Page 51.

(z) Page 48.

(x) Page 114.

(a) Page 48, 49.

(y) Page 112, 113.

take in this has been sufficiently noted (b) already. 'Tis granted, however, that they *were Tyrants*; and particularly *Nero* by Name, under whom *all these Precepts were written*:

' And yet to him Submission, Obedience,  
' Tribute, Honour, and for him Prayers are  
' enjoind; under him did Christians serve,  
' and to him take the Military (c) Oath.'

And what is to be concluded from hence? Not that any of these are due to *Usurpers*; but that they are due to Rightful Princes, even tho' *Tyrants*, as *Nero* was. So that, if you had been an Advocate for King *Charles I.* or his Sons, this had been true Scripture-Doctrine: But to apply this to *Usurpers*, to a *Cromwell*, &c. is grossly abusing the Authority of *St. Paul* and the Primitive Christians, who were far from patronizing such Revolution Principles. Your next Reason is, 2.

' Because our Prayers, in this Case, —  
' have no respect to the Titles or Rights of  
' the Governor, but to the Person governing,  
' and the End of (d) Government.' Which is begging the Question, and taking that for granted, which is a main Part of the Controversy: Whereas you very well know, you must prove this, if you can, before you draw any Inferences from it, in favour of all Actual Governors. But you say, 3. ' It is  
' to be observ'd likewise, 1. That the Pray-

M 3

' ers

(b) See p. 35, &c. & 125.

(c) Page 49.

(d) *Ibid.*

' ers in the *English* Liturgy could not suit  
 ' with *Cromwell*, nor his Title of *Protector*;  
 ' they being all put up for *our King and*  
 ' *Governor*, which *Cromwell* was (e) not.' —  
 And, 2. ' That no Man was oblig'd to  
 ' use the Prayers in the Liturgy for *Crom-*  
 ' *well*: On the contrary, the Liturgy itself  
 ' was suppress'd, and every Man was at  
 ' Liberty to pray for him in what Terms  
 ' he pleas'd, or were most suitable to the  
 ' present Circumstances; and this (*you say*)  
 ' he might lawfully do as long as the Power  
 ' was in (f) his Hands.' But, in answer to  
 this, give me Leave to observe, 1. That,  
 tho' *the Liturgy itself was suppress'd* in *Crom-*  
*well's* Time; yet you know, Sir, this Aposto-  
 lical Injunction, in your Text (*that Sup-*  
*plications, Prayers, Intercessions, and Giving*  
*of Thanks be made for all Men; for Kings,*  
*and for all that are in Authority, &c.*) could  
 not be suppress'd, or dispensed with, being  
*a Duty* ' at all Times (g) binding.' So that  
 the Christian Subjects were indispensably  
 bound thereto, whatever Difficulties or Dan-  
 gers they had incurr'd in so doing. 2. That,  
 according to your Doctrine, they could not  
 pray for King *Charles* as their King and  
*Governor*, while he was *dispossess'd* of (b) *the*  
*Government*: Nor yet for *Cromwell*, because  
 he

(e) Page 50.

(g) Page 45.

(f) Page 50, 51.

(b) Page 26.



he was not their *King* (i) and Governor. So that here an indispensable Duty could not be perform'd at all! But, 3. Not to insist on the strict Terms of the Liturgy, which indeed *could not suit with Cromwell, nor his Title of Protector*; Will you maintain, that, when every Man was at Liberty to pray for him in what Terms he pleas'd, they who presum'd to pray for him, as *Protector and Governor*, that he might *vanquish and overcome all his Enemies*, &c. or in other Words to that effect, and to give Thanks to God for such his Successes and Victories, even over the King himself, as was common for those wretched Time-serving Preachers (k) to do,

M 4

(will

(i) Page 50. (k) Mr. Thomas Speed, in a Thanksgiving Sermon at Bristol, for Oliver's Victory over the King at Worcester (on Psalm l. 15.) opens his Discourse in these very Words; ' We are this Morning met together, to speak well of the Name of the most High God, for that which (next to the Redemption of lost Man through Christ) we may truly call the greatest Demonstration of Grace that ever Heaven made to any of the Sons or Daughters of Men; for that which is the Joy of all those Hearts that wish well to Zion, and the equal Terror of all its Adversaries; for that which is the Wonder and Amazement of all Neighbouring Nations; and which (through the Goodness of God) may prove a happy Preamble to the Establishment of Truth and Peace in this Common-Wealth!' After which, he gravely talks of the unspeakable Mercy of a Deliverance from ' that inevitable Ruin that was coming upon our *Laws and Liberties*, our *Birth-rights* as we are Men!' — Of ' the Signal of Heaven's Approbation, Victory given in to the most Righteous Cause!' — Of their deep Blindness who ' cannot see the Hand of God, when it is so gloriously lifted up on the behalf of his People! &c.' And concludes thus; ' Let every Man when he comes home,

' write

(will you, I say, undertake to maintain, that those unfaithful Dispensers of the Word of God) were justifiable, as having done their *Duty*, or what they *might lawfully do as long as the Power was in his Hands?* Or that the Praying in such Terms as these, was not a *Praying against* their undoubted injur'd Sovereign? I hope not! And yet, this you must maintain, according to the whole Tenor of your Doctrine, however absurd in itself, or inconsistent with the Laws of God and Man, or the Principles of Right Reason or Common Sense! Upon the whole therefore 'tis plain, that the Case of *Cromwell* is not impertinently *urg'd again and again in the Remarks*, as you (l) would represent it. But your insinuating that it was done with a Design to draw a *Parallel* between that Case and (m) *the Revolution!* and charging the Remarker with '*supposing the present Government to be (n) Usurpation,*' is not only invidious as to him, but may be unserviceable even to the present Government; as if the present Government, and the Revolution upon which it is founded, could not be sufficiently vindicated, without the Help of your precarious Hypothesis, of the Authority

write this Motto upon his Door-Posts; *Saved by God*; upon his Wife and Children, *Saved by God*; upon his Estate, *Saved by God*; upon his Liberty — *preserved by God!* &c.' (Sermon 24th. October, 1651. 4to. p. 1, 16, 24, 25, 31.)

(l) Page 45.

(m) Page 46.

(n) Page 103.

rity of all *Actual Governors* whatsoever ; which is the main Point here in Question, and what no Man of sound Principles can ever agree to.

I have been the more particular in the Examination of these Cases, to shew, how little Foundation you have in Scripture, or any other authentic History, to support your Doctrine of the *Lawfulness and Duty* of praying for all present Powers, or *Actual Governors*, as such, without Distinction of their Titles, right or wrong. But I hope you will take notice, that I do not apply what I have here said, to any other of our present Controversies : Nor does it appear to me, that you, in so doing, have done much Honour to the Cause, for which you have enter'd the Lists as a Champion. Nevertheless, because you are apt to triumph over your Remarker, as if every thing in your Sermon which he has not directly objected to, were to be taken *pro confesso* ; and that you may not have occasion to do the like to me, I find myself under a Necessity to take notice of some few Passages, in this your Vindication, relating to the *Revolution*, which otherwise I did not at all intend to meddle with : And from your Ingenuity in these, I shall leave it to the Reader to judge of the rest.

You tell us plainly, that you ' did not  
' mean to justify every Person, or every Ac-  
tion,



‘ tion, that contributed towards it; nor do  
 ‘ you affirm, that all the Persons, or all their  
 ‘ Actions, were (o) righteous.’ And what is  
 this, but to suggest to your Reader, as if there  
 had been some *Absalom* or *Achitophel*, or  
 some other such-like *unrighteous Persons*, concern’d in the late Glorious Revolution, whose  
*Actions contributing* towards it, could not be  
 fairly *justify’d*! If so, you would have done  
 well to have mention’d some Particulars, for  
 the Honour of that great Event; that the  
 Reader might be able to distinguish, which  
 of the *Persons or Actions that contributed*  
*towards it are justifiable*, and which are not;  
 and thereby the more effectually convinc’d,  
 that ‘ the Revolution was the Work of  
 ‘ God’s Providence:’ Whereas, only to *assert*  
 this, in general Terms, as ‘ a Change just  
 ‘ and necessary in the present State of  
 ‘ Things,’ and, after such very obscure Infi-  
 nuations of somewhat *unjustifiable* in it, to  
 talk of *the Wickedness of Man* being *over-*  
*rul’d by (p) God*, &c. is not the way to con-  
 vince the Consciences of People who are  
 dissatisfy’d, as to the *Lawfulness and Duty*  
 of such *Praying and Giving Thanks*.

You say, The Revolution ‘ was with the  
 ‘ general Consent of the People of all Ranks,  
 ‘ from the Highest to the Lowest, both in  
 ‘ Church and State; whose Hearts the Lord  
 ‘ turn’d,

(o) Page 108.

(p) *Ibid.*

‘ turned, as of one Man, to bring it about,  
 ‘ and to establish (q) it.’ Now, this supposes such a Providential Unanimity and Concurrence in it, as is not consistent with what you tell us, immediately after, of *many Lives and Fortunes lost in Opposition* to (r) it, and of *many Attempts made, many Designs deeply laid, and many times great Hopes conceiv’d to overturn* (s) it. Nor does this suppos’d Unanimity appear to be Matter of Fact, if we may believe how inconsiderable a Majority of Voices there was to carry it, in either House of a Convention summon’d even by the Party principally interested in it; or the seemingly credible Accounts which we have had from Persons deeply concern’d in the Secrets of that Time, that not one of *the highest Rank in the Church* (the then Bishops) had any Hand in it: And ’tis well known, that many Men of all Ranks, both in Church and State, suffer’d a Deprivation of all their Preferments, and other Hardships, because they could not in Conscience comply with it. You say, ‘ They who oppos’d it, as they did here in *Scotland*, and ‘ in *Ireland*, fell a Sacrifice to that Opposition, and thereby lost their Religion, many ‘ of them their Lives and Fortunes, and ‘ brought Misery and Ruin on themselves ‘ and the Nation, as the Lord threatned to  
 ‘ his

(q) Page 118.

(r) *Ibid.*

(s) Page 119.

‘ his People of old, if they refus’d to submit to the King of (t) *Babylon*.’ And how could they expect any other, if they had then such an exprefs Command from the Lord to submit, as the *Jews* had formerly to the King of *Babylon*? For this you seem willing to make your Readers believe, (or else why did you make the Comparifon?) tho’ you are indeed fo modest, as not to offer any Proof of it. But I pray you, Sir, what do you mean by their *lofing their Religion*? We know, the whole Epifcopal Church of *Scotland* was then abolifh’d, and Prefbytery fet up in its room. But this, we were told, was done agreeably to the Humour or Inclination of the Nation! If therefore you mean this, you muft look upon Prefbytery as *no Religion* at all (which fome of your Neighbours, I fuppofe, will not thank you for) and at the fame Time lay an heavy Imputation upon thofe who promoted fuch an *Alteration of the Conftitution* there, as if they chofe to have *no Religion* eftablifh’d, rather than that *true Religion* which was of Divine Inftitution!— But, be that as it will, by whatever Means their *Religion* was *loft*, and the *Nation* brought to *Mifery and Ruin* (as you here affirm) methinks ’tis like to be but a slender Motive to *Prayers and Thankfgiving* for thofe who may be fuppos’d to have been the



the Cause of it! Nor can all this be consistent with your other Affirmation; that the *Revolution* was brought about, ' without  
 ' any Bloodshed, Confusion of the State, or  
 ' Alteration of the Constitution in Church  
 ' or (u) State: ' the Constitution  
 ' was hereby preserv'd; the true Religion  
 ' and Laws, the Rights, Liberties, and Properties of the People, and the Lives of the  
 ' Subjects were (x) secur'd; ' which I leave you to reconcile (if you can) with the foregoing, at your Leisure.

Again, among some more Arguments of the like kind, under Pretence of justifying the *Revolution*, as *the Lord's Doing*, you observe, ' that the many Attempts and Designs  
 ' to overturn it, have all been blasted, and  
 ' come to nought; some of them by unexpected unforeseen (y) Accidents.' But the Fallacy of this is easily seen through. For, your Readers have not all forgot, that there were many *Attempts* to overturn a former Constitution, in order to the Restoration of King *Charles*, and namely at *Preston*, *Dunbar* and *Worcester*, &c. which were *blasted and came to nought*. And yet you cannot thence infer, that the Constitution then in being, was according to *God's Will*, and had his *Approbation*; since you confess, the Restoration, which afterwards ensued, was *certainly brought*

(u) Page 118.

(x) Page 119.

(y) *Ibid.*

*brought about by a wonderful Guidance of (z) Providence*; unless you can believe, that God's Providence (a) was on both Sides of the Cause, in direct Opposition the one to the other!

After all this, and something more concerning *the Blessings of Religion and Liberty, preserv'd and secur'd by the Revolution*, you are pleas'd to raise an Objection against it, in these Words: ' We deny not, may some  
' reply, that these are valuable Blessings, and  
' highly to be priz'd; but we *must not do*  
' *Evil that Good may come*. What Power  
' or Authority had they to do this? Was  
' not this done against Lawful Authority,  
' and contrary to the Word of God, which  
' enjoins Obedience to the Higher Powers,  
' as well as against the Laws of the (b)  
' Land?' And, lest your Readers should find it too hard for them to answer this your own  
Objec-

(z) Page 96. (a) The same unhallow'd Preacher, in his remarkable Sermon last quoted, among many more Expressions of the like Strain, says, ' If they ask us, ' *Where is our God?* We can answer them with Joy and ' Boldness, that our God is the Living God, who scatter'd ' them in his Displeasure at *Marston-moor*; whose Power ' brake them in Pieces at *Naseby-Field*; who smote their ' Great Ones in *Kent*; who, by a Handful, put Thousands ' to Flight at *St. Faggons*; the Stroke of whose Terror they ' felt in the North; whose Strength made the Weak strong, ' to stain the Glory of their Pride at *Dunbar*! whose Hand ' was never drawn back, but was stretcht out still, untill he ' had put on the Top-stone of our Deliverance at *Worcester*.' (Speed, p. 20.) See also the Notes on p. 38, 145, 152, and 167.

(b) Page 119.

Objection, you make a Show of answering it yourself. A *Show*, I say; because, to be free with you, it would incline those who do not know you, to suspect, that you have not yet got quite clear of your former Scruples, tho' you have thrown the Burden of them off your Back! The Substance of your Answer thereto is, in short, this. 1. ' That if ' we are commanded to *resist the Devil*, we ' may surely resist the Evil, in order to pre- ' serve the Good we enjoy, but is in Danger ' to be (c) lost.' I need not insist upon the Coarseness of the Comparison between *the Devil* and a Rightful Sovereign, which sufficiently exposes itself! The Weakness of your Argument is enough for me to shew; viz. That because, whenever he tempts us to Sin, we must *resist the Devil*; therefore we may resist God's Vicegerent, whenever we think ourselves *in Danger of losing any thing that is good!* To which you add a Common-Place Descant concerning *Self-preservation*; of which you immediately defeat us again, by this *Proviso*, that ' it be not forbidden by the ' Law of (d) God,' as you know *resisting the Higher Powers* expressly to be. 2. You heap up together a Parcel of strange Principles, concerning *Tyranny, Slavery, Popery, Arbitrary Power, Oppression, Coronation Oath, Forfeiture, Free-People, &c.* which are all

(c) Page 120;

(d) *Ibid.*



all so controverted, as not to be admitted in Answer to the Objection. For tho', as you observe, ' the People are a free People, not ' (e) Slaves ;' you must remember, that they are all Natural-born Subjects ; and consequently *bound to Allegiance and Obedience* to the Sovereign, from their very Birth, without the additional Tye of any (f) Oaths ; on which account, the vulgar Notion of a *Free-born Subject* is a downright Absurdity and Contradiction in Terms.

For this is as much a *Law of Nature*, as your *Self-preservation* is : So that if you will put the latter in Opposition to the former, you will make the Law of Nature inconsistent with itself, and consequently of no Force at all. — That we may lawfully defend our Lives and Fortunes against all unlawful Attempts, is granted us even by the gracious Concessions of our Kings themselves, whose ordinary Judges are sworn to do equal Justice, between the King and every Subject, as well as between Subject and Subject. But your Objection supposes a Resistance of Sovereign Authority after another, and more extraordinary Manner ; which the Answer you have made to it has not yet accounted for, and which even your own Author Dr. *Falkner* (g) utterly disallows.

Your Assertion, that *the People* ' are to  
' be

(e) Page 120. (f) See the *Appendix*, No. iii. & v.

(g) See the *Appendix*, No. i.

' be govern'd by their own Laws, which they  
 ' themselves (a) make,' has been already (b)  
 prov'd to be a Mistake too great to be excus'd  
 in a Gentleman who talks so much of Law,  
 unless you could produce some one Authentic  
 Voucher to support it. Neither is it true in  
 Fact, that ' the King is bound by Oath, —  
 ' as much (c) as the People are bound to  
 ' Allegiance and Obedience.' For 'tis so well  
 known that I dare even appeal to your-  
 self for the Truth of it, that the King's  
 Right commenceth immediately from the  
 Death of his Ancestor; so that his Subjects  
 are all *bound to Allegiance and Obedience* to  
 him, (d) whether he is ever crown'd or not;  
 and till his *Coronation* there is never any  
*Oath* taken by, or tender'd to him. But, as  
 to what you infer from these false Premises,  
 that ' if a King of *Great Britain* shall break  
 ' through the Laws, and his Coronation-  
 ' Oath, endeavour to subvert and overturn  
 ' the Constitution, introduce Arbitrary Pow-  
 ' er, a false Religion, &c. — he may forfeit  
 ' the People's Allegiance, as well as the Peo-  
 ' ple, by their Disobedience to his just and  
 ' lawful Commands, may forfeit their Title  
 ' to his (e) Protection;' 'tis such a dangerous  
 Conclusion, as may afford a Handle to more  
*Revolutions* than you would be thought an  
 Advocate for; since, if this be once allow'd,  
 N either

(a) Page 120.

(b) See p. 139.

(c) Page 120.

d) See the *Appendix*, No. ii. iii.

(e) Page 121.

either to be good Law, Reason or Equity, What may not some Fanatical Party or other construe to be a *Breaking through the Laws and the Coronation-Oath*, and a *Subverting and Overturning the Constitution*; or at least an *Endeavour* so to do? (For you leave them to judge for themselves!) And what will all we can say to the contrary avail us, if they have once got Power enough to maintain their Allegations by the all-convincing Sword and Gun? And, 3. Tho' 'tis true, ' there is nothing in the Word of God ' that forbids Men to preserve and secure ' their Lives and Liberties, their Religion ' and (f) Constitution; ' that is to say, by any lawful Means; yet if this cannot be done without forcibly *resisting the Higher Powers*, you would do well to observe, that *the Word of God*, which expressly *forbids such Resistance*, has in the most effectual Manner, forbidden us so to *preserve and secure* ourselves here, under the Penalty of *Damnation* hereafter: And, likewise to consider with what Propriety, an Event brought about by such Means, so *contrary to the Word of God*, can ever ' be presum'd agreeable to ' his (g) Will! ' — So that, whether you or your *Remarker* is more justly liable to the Censure of ' dazzling the Eyes of the Ignorant, and such as seek not Truth, but only ' to be confirm'd in their Prejudices and (h) ' Errors,

(f) Page 121.

(g) Page 122.

(h) Page 124.



‘ Errors, &c.’ I shall not take upon me to determine ; but leave it, upon the Whole, to all *Men of Sense and just Reasoning*, to judge for themselves indifferently between you.

You confess, ‘ It is certain, God does not always approve what he permits: For he does not approve Sin, and yet he permits it; but is so far from approving, that he will severely punish (i) it.’ Why then, Sir, are you so highly offended with your Remarker for distinguishing in all the Events that happen between God’s *Permission* and (k) *Approbation*, by his Word? How can you affirm, that, ‘ in outward Events, — God’s Will of Permission, and his Will of *Approbation*, is one and the (l) same?’ And with what Sincerity can you suggest and insinuate to your Readers, that the Words, *Providence*, *Injustice*, *Punishment*, *Permission* and *Approbation*, are made use of by the Remarker to no other End, but ‘ to misapply Words, to call Evil Good, and Good (m) Evil!’

You are pleas’d very gravely to ask, ‘ Is the Preservation of God’s true Religion, of the Laws, Lives, Liberties and Properties of the People, &c. ——— a Punishment that proceeds from God’s (n) Wrath? &c.’ No, Sir! Not in themselves. But yet, the most notorious Usurpations having been

N 2

some-

(i) Page 127, 128.

(k) Page 125.

(l) Page 139.

(m) Page 126.

(n) *Ibid.*

sometimes brought about by the mere Pretence of such *Preservation*, which nevertheless have prov'd the utter Subversion of *God's true Religion*, as well as of the *Laws, Lives, Liberties and Properties of the People*, (known Instances of which need not here to be repeated) such Usurpations, at least, may properly be look'd upon as *Punishments proceeding from God's Wrath*; 'and may be ' compar'd to Plagues, Hurricanes and ' Earthquakes, as the greatest Evil of the ' (o) two.' And again, you ask, ' Are Arbitrary Power, Oppression, Slavery, &c. on ' Pretence of Religion — Blessings and ' Mercies, which we ought to wish and pray ' (p) for.' Who supposes it, Sir? By this time, surely, all Men, who have not lost their Senses, must be convinc'd of the contrary. But yet, even these are not to be oppos'd in any way that is contrary to the Laws of God, the Laws of Nature, and the Fundamental Laws of the Land. So that the *wild and unreasonable (q) Opinions* which you exclaim against, may return, without a Compliment, to those, who looking through your Spectacles, may be more apt to *see all Things inverted!* and so learn to misapply Words, *calling Evil Good, and Good Evil!*

Among the other Arguments here brought to prove, that the Nation did not any *Injustice*

(o) Page 126.

(p) *Ibid.*(q) *Ibid.*

*tice* to King *James* (which I am not dispos'd to dispute with you) you mention this as one, that *both his Daughters reign'd successively after (r) him*. But your calling them ' the ' only Persons of the Royal Family who ' were of Age to (s) govern,' seems to be a full Concession, that there was some other Person of the same Family, who might have succeeded with less *Injustice*, had it not been for want of *Age to govern*! Now, whether our Laws have ascertain'd any particular *Age*, as the necessary Qualification to the Crown, or what it is, you have not told us; nor whether the Person you mean by this Distinction, did ever yet arrive to the *Age to govern*. You seem willing to make your Readers understand you, of the Child born the 10th of *June* 1688, whose Birth was then acknowledg'd and congratulated, by Addresses from the Prince and Princess of *Orange*, and all Ranks and Orders of Men, as well as in the more solemn Prayers and Thanksgiving of the whole Church of *England*, for him, as undoubted Prince of *Wales* (as appears by the *London Gazette*, and those Original Offices, publish'd by *Authority*.) And that this was your Design, is the more probable, from divers other Passages in this very Book; where, speaking of the same Person, and of his Legitimacy, you have

N 3

pub-



publish'd these remarkable Words: ' Howe-  
 ' ver the Words of the Oath of Abjuration  
 ' found, yet it cannot be suppos'd, or pre-  
 ' tended, that they require any one, who  
 ' takes it, to believe *The Pretender* to be Ille-  
 ' gitimate, because that Point never came  
 ' before the Parliament, but was carefully  
 ' avoided; and because the chief and lead-  
 ' ing Men — did own and suppose the  
 ' Legitimacy of his Birth, at Dr. *Sacheve-*  
 ' *rell's* (t) Trial.' And again, ' A generous  
 ' Act of Favour and Respect to *The Pre-*  
 ' *tender*, abstractly, as a *Prince royally de-*  
 ' *scended*, is neither a Sin, nor inconsistent  
 ' with this Oath: For, the denying him a  
 ' Legal Title to the Crown, does not render  
 ' him incapable of all Honour and Respect,  
 ' due to his Dignity, Quality or (u) Merit.'  
 With what Design you have publish'd such  
 Expressions as these, God and your own  
 Conscience can only know: But many Peo-  
 ple will not be persuaded to believe, that a  
 Gentleman of your Judgment could seriously  
 propose all this, as any Motive to the taking  
 Oaths to, and praying for, the present Go-  
 vernment, whatever Zeal you may express  
 for it.

And the like Objection may be made to  
 the Arguments by which you say, ' We  
 ' may reasonably infer God's Approbation or  
 Dif-

(t) Page 208.

(u) Page 223, 224.

‘ Disapprobation ; ——— that, in this Case,  
‘ there was not only Permission, but (x) Ap-  
‘ probation, &c.’ For, 1. Granting, in ge-  
‘ neral, that, ‘ where there is no Prohibition,  
‘ by any Law of God, there certainly is a  
‘ Permission ; and what we have Liberty to  
‘ do, and transgress no Law by doing, that  
‘ we may lawfully (y) do :’ Yet, what will  
you lay down for your Assumption, or Mi-  
nor Proposition, to ground a Logical Con-  
clusion upon ? If you say, *there was no Pro-*  
*hibition, by any Law of God, nor any Law*  
*transgress’d, in the Case in Question, you*  
must expect to be told of the *Prohibitions*  
against *Subjects resisting the Higher Powers,*  
and *Children disobeying their Parents, &c.*  
And, if this was a *Sin*, and only permitted by  
*God, for wise Reasons* (as he ‘ was pleas’d to  
‘ permit *Satan* to bring all those Evils upon  
‘ *Job*, which are recorded in that (z) Book’)  
then, by your own Confession, *God does not*  
*approve it, ‘ and yet he permits it ; but is so*  
‘ far from approving, that he will severely  
‘ (a) punish it.’ Nor can you reply, that  
there was no *Resistance* in the Case in Que-  
tion, since you have publish’d this, for an un-  
deniable Truth, that, ‘ in all preceding  
‘ Reigns, *Resistance*, upon any Pretence  
‘ whatsoever, was, by many Statutes, unlaw-  
‘ ful ; but now the Lawfulness of it is main-  
N 4 ‘ tain’d,

(x) Page 129.

(y) *Ibid.*

(z) Page 139.

(a) Page 127, 128.

tain'd, and made the Foundation of the present Constitution, as without doubt it is: For, unless Resistance be allow'd in some Cases, the Revolution cannot be (b) defended.' And, unless you can fairly maintain this your first Argument, the next will not be thought worthy of any Consideration at all. For, where you say, 2. 'What the Nation had thus a Permission to do, or might lawfully do, without transgressing any Law of God, may be presum'd to be agreeable to the Will of God, and to have his (c) Approbation;' all this will be look'd upon to be (as indeed it is) but a Begging the Question, which ought first to have been prov'd; viz. that there was *no Prohibition, by any Law of God, nor any Transgression of any Law*, in the Resistance then made. For, 'tis not enough to say, that 'the Natural Rights and Liberties of Mankind, Christ's true Religion preserv'd, &c. — are Things certainly agreeable to God's Will, and have his (d) Approbation;' because the same has been pleaded, with as much Confidence, in some other Cases, where the Means have been evidently unlawful; and which even yourself cannot *presume* to have been *agreeable to the Will of God*, and to have had *his Approbation*; as I have already observ'd. And, for the same Reason,

(b) Pages 206, 207.

(c) Page 129.

(d) *Ibid.*



Reason, I would not have said any more of what you offer, as the next Argument; viz. 3. 'The wonderful Manner in which it was brought about, the many signal Providences that have attended it, the Blasting all the Designs, and Bringing to nought all the Attempts that have been made from Time to Time to overturn (e) it:' But, since you are pleas'd to call these *a visible Approbation from Heaven*, and to declare, that you can see no reason, why they should not be allow'd to signify God's (f) *Approbation*; I beg Leave to say, this Argument proves too much, and therefore ought not to be admitted for any Proof at (g) all.

After this, as if you were (like *Ascham*, whom you have gravely (h) quoted) a profess'd

(e) Page 129, 130.

(f) *Ibid.*

(g) Bishop Burnet truly observes, That this from Providence is a dangerous and deceitful Argument, and therefore to be touch'd with Caution. And then he says, 'It is certain, that God, for the punishing of Nations, gives sometimes such a Torrent of Success to those who are the Instruments of their Correction, that this may be rather a Mark of his Displeasure against those who are to be brought low, than of his favouring those who are lifted up. There are also such Mysteries in the whole Conduct of the World, that, tho' our Partiality makes us apt to magnify all that we like; yet, if we carry it too far, we will be in danger to be often out of Countenance, when the same Argument turns against us: Therefore, before we can make any Comments on so doubtful a Text, we must be first sure, that the Ground-work is well laid, and that both the Cause itself, and the Means us'd to advance it, are good.' (*Sermon at St. James's the 23d. of December 1688. 4to. p. 9, 10.*) See also the Notes on p. 74, 152, 167, 174. and the Appendix, No. iv. v. (h) Page 90, 91.

fess'd Advocate for *Usurpation*, you treat your  
*Remarker* with an Air of Contempt, for his  
 saying, that ' *in Usurpation there is always*  
 ' *Guilt and Perverseness in the Will; it is*  
 ' *founded in Injustice, and thrives by Perjury,*  
 ' *Bribery and (i) Oppression!*' But, what do  
 you answer to this? Is it not true? —  
 Indeed you do not think fit to say that:  
 But — ' Alas-a-day! good Man, how lit-  
 ' tle he knows of (k) the World!' As if to  
*know the World* were only another Phrase for  
 being a Friend to Usurpers! Or, as if the  
 more that a Man *knows* of the World, he  
 will see the less *Guilt of Perjury, Bribery and*  
*Oppression*, in *Usurpation*! If so, I fancy, few  
 of your Acquaintance, or mine, do yet *know*  
*much of the World*. However, to shew, that  
*all these Crimes* are not confin'd to *Usurpers*  
*and their Reigns*, you are pleas'd to throw  
 Dirt upon the Memory of our Rightful  
 Kings; and, namely, to charge *Henry VIII.*  
 with *Guilt and Perverseness in the Will*; and  
 even the Royal Martyr, *Charles I.* with *Op-*  
*pression*; and his Son, *Charles II.* with *Bri-*  
*bery and Corruption*; and all of them with  
 (l) *Injustice!* Now, tho' it is not my Busi-  
 ness here, to engage in the Vindication of  
 these, or any other of our Rightful Kings;  
 yet I may be allow'd to remind you, that  
 the Church in which you officiate as a  
 Priest, and whose solemn Offices I suppose  
 you

(i) Page 125.

(k) Page 131,

(l) Page 132.

you punctually observe, does, at least once in every Year, solemnly pronounce one of these Kings to have been (m) *innocent*; which might well have screen'd him from your Aspersions: But, after you have said the worst you can of them all, it will not follow, that the Reign of any Usurper can be so free from these and such like Crimes, as that of a Rightful King may be; since a King, however personally vitious, may have a great many Public Virtues and Royal Qualities to counterballance his private Vices; whereas an Usurper, whatever personal Virtues may be ascrib'd to him, must necessarily be chargeable with the public Crimes here specify'd, which are essential to the very Nature of (n) Usurpation. So that, after all, your Remarker may be a very *good Man*, without an Irony, tho' he may *know so little of the World*, as possibly to prefer the Government of the very worst of our Rightful Kings, before that of the best Usurper you can name or patronize. For tho' 'tis true, as you observe, that even '*Oliver Cromwell*, after he became ' Protector, maintain'd the Honour and Interest of the Nation abroad, however tyrannical he was in his Government at (o) home;' and ' set himself to advance the Interest of the Nation, and its Power (p) abroad:' Yet, how popular or advantageous

(m) 30th of January.

(n) See the Notes on p. 21, 22.

(o) Page 70.

(p) Page 117.



tageous soever it might be, to curb the Depredations and Encroachments of the *Spaniards, Dutch*, and other insolent Foreigners, all this could not acquit him, or any other Usurper whatsoever, of the Guilt of Usurpation, or counterballance the many other heinous Crimes which necessarily accompany it : But if you will name any of our Rightful Kings, who were *tyrannical in their Government at home*, and at the same time careless of the *Honour and Interest of the Nation abroad*, tho' you should say, they were worse in that respect, than even *Cromwell* himself, I shall not dispute that Point with you.

A great deal more might be added, to shew the Weakness of your Arguments, by which you seem willing to support a strange and precarious *Hypothesis*, of the *Lawfulness and Duty of Praying* for all sorts of *Actual Governors*, for the Time being, without Distinction of their Titles, right or wrong ; as well as the Unseasonableness of many things which you have here offer'd by way of Application thereof. But, I think, there is no occasion for more, to satisfy any *Man of Sense and just Reasoning*, provided he be disinterested as I am, and equally free from Prejudices ; and to those who are not so, all that can be said, will be but lost Labour. However, I cannot but again take notice here, that you have made great and frequent Use of one Subterfuge, unworthy of your Character,

rafter, where you endeavour to debar your Antagonists of a just Liberty of fair Debate, by representing them as Enemies to the present Government, only for controverting the Principles of Usurpation. Thus you are pleas'd to say, ' The Remarker here, and ' all along, supposes the present Government ' to be nothing but Usurpation; and upon ' this Supposition has founded all that he ' has said against the Sermon; — but has ' not offer'd one single Argument, or Shadow ' of one, to prove it (q) so.' How then, Sir, do you know, that he argu'd on that Supposition? Tho' I know nothing of him, more than he has discover'd of himself in those *Remarks*, which gave occasion for your *Vindication* and this Epistle, I cannot but think, he *has offer'd* divers substantia. *Arguments to prove*, what he undertook; viz. that there are *some strange Doctrines in your Sermon*, which are *capable to do harm*, and therefore ought to be (r) *check'd*: For to strengthen his *Proofs*, you have, in this your *Vindication*, justify'd all he had charg'd upon your Sermon, by defending and enforcing the *strangest* of those *Doctrine*, in such a manner, that the greatest Enemy of the present Government needs not to wish for more Advantage against it in Disputation, than you have here afforded him.

And

(q) Page 134, 135.

(r) Page 143.

And now, as you have honourably declar'd, that *if you was sensible, that you had deliver'd any Error in your Sermon*, you 'would think it no Shame at all to retract (s) it,' I am the more encourag'd to call upon you, Sir, in the most solemn manner, as a Gentleman, a Scholar, a *Briton*, a Christian, a Priest, and a Preacher of the Word of Truth, to *retract the Errors* which I have here prov'd in this your *Vindication*: And especially these which follow in your own Words; viz. 'That *Julius Cæsar*, and *Augustus*, were (t) but Usurpers; confessedly (u) Usurpers; in the very same Case with *Oliver* (x) *Cromwell*.' That the *Higher Powers*, under whom the Gospel-Precepts were all given, 'were Usurpers, or those who deriv'd their Power from (y) Usurpation.' That *Charles II.* during his Banishment, 'was not King, but in Name (z) only.' That the *King in Possession* is 'the Fountain of Authority and Honour, &c. and not any other Person, whatever his Right might (a) otherwise be.' That 'the Law has no regard to any Right, Claim or Title, but to that of the King in Possession (b) only.' That 'a Governor's Title, whether just or unjust, concerns not us, — as we are (c) Christians.' That 'Allegiance is not  
' perfo-

(s) Page 144.

(x) Page 70.

(a) Page 61.

(t) Page 6.

(y) Page 48, 49.

(b) *Ibid.*

(u) Page 20.

(z) Page 25.

(c) Page 28, 65.



‘ personal, but (d) political.’ That, even in an Hereditary Monarchy, ‘ the Good of the People is the Supreme Law; by which all other Laws are to be directed, and to which they must (e) yield.’ That the People have ‘ a Share in the Supreme (f) Power; are to be govern’d by their own Laws, which they themselves (g) make,’ and ‘ have as much Right to make *Laws* (for their own Safety) as any King had a Right to the (h) Crown, &c.’

I forbear to mention any more Particulars of this kind; tho’ many may be collected out of this same Performance. Nor do I take upon me thus to call upon you for a Retraction, as having any Authority over you; but merely as a Friend to the Truth, to make that more evident, to the Glory of God, your own Honour, and the undeceiving of many pious, but misguided People. I know, Sir, you need not me to put you in Mind of the indispensable Obligations upon every good Man to endeavour all he can to reduce into the Way of Truth those especially, whom by any Mistake of his own, he may have been the Occasion of leading into an Error. As the *Proof* which you formerly gave to the World, ‘ that not Interest, but Conviction prevail’d with you, in the Matter now before us, when you voluntarily

(d) Page 72.  
(g) Page 120.

(e) Page 60.  
(h) Page 97.

(f) Page 63.

‘tarily parted with All, rather than enter  
 ‘into Engagements contrary to *your* then  
 ‘(i) Sentiments,’ was a strong Argument of  
 your Sincerity; so the Reputation of that  
 Sincerity will be apt to make those of weaker  
 Judgments give entire Credit to whatever  
 comes from your Pen or Pulpit, without  
 examining (as the Noble *Bereans* did by  
 even *St. Paul’s* Doctrine, and whom he  
 highly (k) commends for it) *whether those*  
*Things are so*, as you teach them, or not.  
 Which Consideration should not only prevail  
 with you to be very careful of your own Doc-  
 trine, but also, methinks, to be particularly  
 tender of casting any Reflections upon those  
 who still labour under the same Difficulties  
 of your own former *Sentiments*, and are con-  
 sequently as fairly entitled to the favourable  
 Plea of Disinterestedness and Sincerity as  
 yourself.

Instead of which, ’tis not a little Abate-  
 ment to the *Character* which you have, ‘of  
 a good-natur’d and agreeable (l) Gentleman,’  
 to find you, on every Occasion, charging  
 those very Men, with whom you agreed in  
*Sentiments* many Years, in the Strength of  
 your Age and Judgment, with ‘*Ignorance*,  
 ‘*Prejudices and (m) Party-Notions!*’ with  
 being ‘*as obstinate as the Jews (n) were!*’  
 with pretending to ‘*be wiser than God (o)*  
 ‘*him-*

(i) Page 145.

(m) Page 35.

(k) *Acts* xvii. 11.

(n) Page 37.

(l) Page 143.

(o) Page 43.

‘ *himself!*’ with being ‘ *wilfully (a) blind!*’ with being ‘ *generally positive, and conceited of their (b) Opinions!*’ with ‘ *being bound down by false Principles and (c) Prejudices!*’ with ‘ *wilfully resisting that Power which God has set over (d) them!*’ with ‘ *wild and unreasonable Opinions,*’ and ‘ *seeing all Things (e) inverted!*’ with ‘ *misleading the People, and teaching them Things directly contrary to their (f) Duty!*’ with ‘ *standing in Opposition to, and directly gainsaying, an express Command in the Gospel, and the Practice of the whole Christian (g) Church!*’ with ‘ *hardening their Hearts (h) against the Truth!*’ And a great deal more of the like kind, much easier for the Reader to collect, than for the Writer to justify or excuse.

But if all these Characters were so plainly discernable in those whom you have left, as you would now represent them, 'tis somewhat strange, that a Gentleman of your Penetration could not discover them in less than ten or twelve Years! And stranger still, that few or none among those of that Sentiment, have yet been so effectually *convinc'd* as to follow your Example! I would not insinuate a Suspicion, that either St. *Dunstan's* Lecture in *Fleet-street, London*, or St. *Paul's* Chapel in *Aberdeen*, could possibly have such

O

a

(a) Page 88.

(b) Page 89.

(c) Page 94.

(d) Page 95.

(e) Page 126.

(f) Page 130.

(g) Page 138.

(h) Page 145.



a Charm as to open your Eyes at last ; nor yet do I believe, that you had an Illumination immediately from Heaven, as St. *Paul* had. But this, at least, I may be allow'd to say, that, since it requir'd so many Years Time, and so *much Pains*, as you tell us, *to examine Things, and weigh them impartially*, as you did, before you could be *convinc'd of your (i) Mistake*, great Indulgence ought to be granted to others, who, tho' not yet convinc'd of a Mistake, may be as sincere, and as far from *hardening their Hearts against the Truth*, as yourself.

After all, you are pleas'd to ' acknowledge  
' the Remarker's Humility and Modesty  
' here, and his good Nature, in having kept  
' his Temper so well as he has done in the  
' Remarks; a Thing (*you say*) not very usual  
' in those of his Opinion, when their Sentiments are (*k*) oppos'd!' Whether you  
' *have been behind-hand with him in (l)*  
' *Civility*,' the Reader will now judge. But you seem to me to have given an ample Proof, that those of his Opinion, whom you condemn for it, are not the only Persons who do not *keep their Temper* very well, *when their Sentiments are oppos'd*. Whether those many harsh Reflections which you have dealt about so freely, among those who *oppose* your present *Sentiments*, may suffice to apologize

(i) Page 145.

(k) Page 147.

(l) *Ibid.*

gize for such seeming Want of *Temper* in any Expression that may have escap'd my Pen, I leave to your cooler Consideration. I own, 'tis natural to me, to feel a generous Warmth of Indignation and Resentment, whenever I see an Insult offer'd to any Party that is DOWN. And yet, so far am I from resting in the Confidence of this fair and reasonable Excuse, that if, contrary to my Intention, I have given Occasion of Offence to any unprejudic'd Reader, I heartily wish it unsaid, and sincerely ask Pardon for it.

To conclude all, in the Words of an Eminent Writer, ' God grant us the Blessing of  
' benign Temper; and that while we differ,  
' it may be done without Breach of Cha-  
' rity; that we may at least reserve good  
' Wishes for our Old Friends, and contribute  
' our Prayers for the Benefit of each other!'

*London, 29. May, 1738.*



O 2

P O S T-



## P O S T S C R I P T.

**H**AD your Vindication come sooner to my Hands, it had found me more at Leisure, and met with a quicker Dispatch: But ever since it came to me, divers other Affairs have so much interfer'd with it, that I could not sit close to it; and therefore 'tis no Wonder, if, after frequent Interruptions and Avocations of many Days (and sometimes Weeks) some Repetitions may have happen'd, and possibly several Passages have escap'd my Memory, which otherwise had not pass'd me without due Notice.

This I think necessary to acquaint you with, that you may not take the Advantage of any such Oversight, and call it a *Concession* of the Truth of every thing which I have not particularly granted or denied.

I do assure you, Sir, I have not knowingly pass'd over any material Part of this Controversy, through any Difficulty that appear'd to me, or a Diffidence in my own Capacity (slender as it is) to give it a proper Answer. But, I believe, when the several Remarks contain'd in the foregoing Epistle (which have swell'd



swell'd it to a Bulk much larger than at first I expected) are fairly consider'd, they will be found, at least, by rational Inferences, to furnish a sufficient Answer to every Part of your Vindication, so far as materially relates to the main Point in Question between you and me; viz. *the Lawfulness and Duty of praying for all Actual Governors*, as such!

As to your 'Enquiry into the Right and Title of the Kings of *Judah* and *Israel*, to their respective Kingdoms,' I would have taken it into a particular Examination, as being a Continuation of the Answer to the 'Remarks:' But, that Subject being fully and professedly treated of, in the *Short History of the Regal Succession*, &c. before referr'd to, there seem'd not to be any Occasion to enlarge upon it here; and the other *Papers relating to the Oaths*, not being a necessary Part of the Present Question, I contented myself with touching them occasionally by the bye. However, if it be your Pleasure to call upon me for a Continuance of this Correspondence, you shall find me willing and ready to supply what is defective, and to retract what is erroneous, as well as to maintain what is defensible, in the foregoing Epistle. In the mean time, if you think I am mistaken in the Points and Principles here controverted, you may perceive, that I have Choice of Authorities on my Side (and such as you cannot fairly except

Q 3

against)

against) by the Specimen here laid before you, in the foregoing *Notes*, and the following APPENDIX.



A P P E N D I X



## A P P E N D I X.

## N U M B E R I.

**D**OCTOR *Falkner* proves, That  
 ‘ Temporal Dominion is not origi-  
 ‘ nally founded in the entertaining the true  
 ‘ Doctrine of Religion, or the Faith of  
 ‘ Christianity.’ *Christian Loyalty*, 2d. Edit.  
 1684. 8vo. p. 322.

That ‘ Doctrines allowing Subjects, or  
 ‘ others, to depose, or murder Princes, are  
 ‘ heretical.’ *Ibid.* p. 325.

That the Sense of this Clause, *That it is*  
*not lawful, upon any Pretence whatsoever, to*  
*take Arms against the King*, ‘ is nothing  
 ‘ more, than what the Church of *England*,  
 ‘ and the eminent Members thereof, hath  
 ‘ constantly acknowledg’d.’ *Ibid.* p. 338.

That, ‘ if it be allow’d lawful, for Sub-  
 ‘ jects, in any Case, to take Arms against  
 ‘ their Sovereign, this must include a Right  
 ‘ in them of *judging*, whether their present  
 ‘ Case be such, in which they may lawfully  
 ‘ *resist* or no: Otherwise, they must either  
 ‘ have a general Power of Resistance and  
 ‘ taking Arms, without Distinction of any  
 O 4 ‘ Cases;



against) by the Specimen here laid before you, in the foregoing *Notes*, and the following APPENDIX.



A P P E N D I X



## A P P E N D I X.

## N U M B E R I.

**D**OCTOR *Falkner* proves, That  
 ‘ Temporal Dominion is not origi-  
 ‘ nally founded in the entertaining the true  
 ‘ Doctrine of Religion, or the Faith of  
 ‘ Christianity.’ *Christian Loyalty*, 2d. Edit.  
 1684. 8vo. p. 322.

That ‘ Doctrines allowing Subjects, or  
 ‘ others, to depose, or murder Princes, are  
 ‘ heretical.’ *Ibid.* p. 325.

That the Sense of this Clause, *That it is*  
*not lawful, upon any Pretence whatsoever, to*  
*take Arms against the King*, ‘ is nothing  
 ‘ more, than what the Church of *England*,  
 ‘ and the eminent Members thereof, hath  
 ‘ constantly acknowledg’d.’ *Ibid.* p. 338.

That, ‘ if it be allow’d lawful, for Sub-  
 ‘ jects, in any Case, to take Arms against  
 ‘ their Sovereign, this must include a Right  
 ‘ in them of *judging*, whether their present  
 ‘ Case be such, in which they may lawfully  
 ‘ *resist* or no: Otherwise, they must either  
 ‘ have a general Power of Resistance and  
 ‘ taking Arms, without Distinction of any  
 O 4 ‘ Cases;

‘ Cases; to assert which would be all one as  
 ‘ to declare them to be *no Subjects*, or under  
 ‘ no Government; or else they must resist in  
 ‘ *no Case* at all. But to assert, that the Peo-  
 ‘ ple, or Inferiors, are of right *Judges* of  
 ‘ the Cases, in which they may resist their  
 ‘ Superiors, is as much as to say, they are  
 ‘ bound to Subjection, only so far as them-  
 ‘ selves shall think fit; and that they may  
 ‘ claim an Authority over their Governors,  
 ‘ and pass Judgment upon them, and de-  
 ‘ prive them of their Dignity, Authority,  
 ‘ and Life itself, whensoever they shall think  
 ‘ it requisite and needful. But this cannot  
 ‘ be otherwise than a Foundation of great  
 ‘ and general *Confusion* in the World.’ *Ibid.*  
 p. 365.

That ‘ it is against all Pretence of Reason,  
 ‘ that the Rights of Superiors, which are the  
 ‘ greatest, and *on which all inferior Rights*  
 ‘ *have Dependance*, should be least regarded;  
 ‘ as if it were fit, that the Interests of a  
 ‘ Child, or Servant, should be preserv’d, and  
 ‘ not those of a Father, or a Master!’ *Ibid.*

p. 375.

That our Saviour ‘ took care of the Pre-  
 ‘ servation of the *just* Royalty and *Right* of  
 ‘ Princes, and did not intend to debase, lessen  
 ‘ or diminish that Sovereignty and Autho-  
 ‘ rity which they had a *Right* before to en-  
 ‘ joy.’ *Ibid.* p. 469.

That ‘ had the Holy *Jesus* intended to  
 ‘ have



‘ have his Person rescu’d out of the Hands  
 ‘ of the *Jews*, he could have effected this  
 ‘ by *Legions of Angels*, who are under no  
 ‘ Obligation of Subjection to Men. But  
 ‘ God’s *Providence* can never be so at a loss,  
 ‘ as to need the Help of any unlawful  
 ‘ Means.’ *Ibid.* p. 478.

That as to *Self-defence and Preservation*,  
 ‘ we must distinguish between the using that  
 ‘ Right against Thieves and private Persons,  
 ‘ against whom it may be us’d by the Au-  
 ‘ thority of the Laws; and the designing  
 ‘ any Violence against the Rule and Com-  
 ‘ mand of the Sovereign Power.’ *Ibid.*  
 p. 481.

That ‘ there is no *Heresy* more pernicious;  
 ‘ the Precepts of Christ decrying this, the  
 ‘ whole Life of Christ being opposite to it,  
 ‘ the *Apostolical* Doctrine testifying against  
 ‘ it; it being also rejected by so many Thou-  
 ‘ sands of *Martyrs*, and contradicted by the  
 ‘ Ancient Interpreters.’ *Ibid.* p. 482.

That, by *κριμα*, which we render *Dam-  
 nation*, in *Romans* xiii. 2. ‘ the Apostle doth  
 ‘ both understand the *Judgment of Man*, or  
 ‘ Punishment by the Hand of Justice by the  
 ‘ Magistrate, and also the *Judgment of God*,  
 ‘ or the Sentence of his Condemnation.’  
*Ibid.* 484, 491.

That ‘ the Spirit of God speaketh much  
 ‘ in favour of *Monarchical Government*, tho’  
 ‘ then *Pagan*; but gives no Encouragement  
 ‘ to

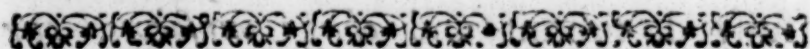
‘ to the Notion of them who would embrace a *Popular Sovereignty*. *Ibid.* p. 488.

That ‘ it is Matter of Wonder, that any Men should have the Confidence, to make Christianity a Foundation for the highest *Resistance* against Princes, to *depose* them from their Crowns, and forbid Subjects to yield them Obedience!’ *Ibid.* p. 489.

That ‘ the Examples of Arms taken against Kings, who govern’d, not by a precarious, but by their own *proper Right*, cannot be commended without violating Piety, whatsoever Pretence or Success they had.’ *Ibid.* p. 491.

That, whereas ‘ some have pretended, that where such Attempts have met with *Success*, this Success was a Testimony of *God’s Providence approving* them, such Pleas are of a very *dangerous and evil Nature*: Especially because, 1. They are in some Degree *Blasphemous*; as if the Holy God, who hateth all Evil, and hath given strict Commands against it, were to be esteem’d an *Approver* of all that Wickedness in the World, where he doth not either forcibly restrain, or immediately destroy, the Offender: 2. This Pretence is greatly opposite to the Principles of Christianity, both in despising and abusing the *Patience and Long-suffering* of God; and in building upon such Foundations as can bear no Weight, unless Men overlook and  
‘ disre-

‘ disregard the future Account, and the Rewards and Punishments of another World.’  
*Ibid.* and p. 492.



## N U M B E R II.

*A PROCLAMATION of both Houses of Parliament, for proclaiming of his Majesty, &c.*

‘ **A** LTHOUGH it can *no way be*  
 ‘ *doubted*, but that his Majesty’s Right  
 ‘ and Title to his Crowns and Kingdoms, is,  
 ‘ and was, *every way completed*, by the  
 ‘ Death of his most Royal Father, of Glo-  
 ‘ rious Memory, without the *Ceremony* or  
 ‘ Solemnity of a Proclamation; yet, since  
 ‘ Proclamations in such Cases have been al-  
 ‘ ways us’d, to the end that all good Subjects  
 ‘ might upon this Occasion testify *their Duty*  
 ‘ and Respects; — We therefore, the  
 ‘ Lords and Commons — do, *according*  
 ‘ to our *Duty and Allegiance*, heartily, joy-  
 ‘ fully and unanimously acknowledge and  
 ‘ proclaim, That immediately upon the De-  
 ‘ cease of our late Sovereign Lord King  
 ‘ *Charles*, the *Imperial Crown* of the Realm  
 ‘ of *England*, and of all the Kingdoms, Do-  
 ‘ minions and *Rights* belonging to the same,  
 ‘ did, by *Inherent Birth-right*, and *Lawful*  
 ‘ and *Undoubted Succession*, descend and come  
 ‘ to



‘ to his most excellent Majesty *Charles II*, as  
 ‘ being lineally, justly and lawfully, *next*  
 ‘ *Heir of the Blood Royal* of this Realm. ---  
 ‘ And thereunto we most humbly and faith-  
 ‘ fully do submit and *oblige ourselves, our*  
 ‘ *Heirs* and Posterities for ever. Dated the  
 ‘ *8th Day of May, 1660.*’

‘ God save *the King.*’

And, long before this Time, particularly  
 ‘ in the Case of *Watson and Clarke*, 1. *Jac. i.*  
 ‘ it was clearly resolv’d by all the Judges  
 ‘ of *England*, That presently, by the De-  
 ‘ scent, his Majesty was *completely and abso-*  
 ‘ *lutely* King, without any essential *Ceremony*  
 ‘ or Act to be done *Ex post Facto*; and that  
 ‘ *Coronation* was but a Royal Ornament, and  
 ‘ outward Solemnization of the Descent.  
 ‘ And this appeareth evidently, by infinite  
 ‘ *Precedents, &c.*’ (*Coke’s Report of Calvin’s*  
*Case*, fol. 11.)



### N U M B E R   I I I .

**I**N the Great Case of the *Postnati*, or  
*Calvin’s Case*, 6. *Jac. i.* which was as  
 elaborately, substantially and judicially argu’d,  
 by the Lord Chancellor, and all the Judges, as  
 ever was any; and which has this peculiar  
 Character, that no one Opinion in all our  
 Books

*Books is against this Judgment*; it was most solemnly adjudg'd, 1. 'That Ligeance, or  
' Obedience of the Subject to the Sovereign,  
' is due by the Law of Nature: 2. That this  
' Law of Nature is Part of the Laws of  
' *England*: 3. That the Law of Nature  
' was before any Judicial or Municipal Law  
' in the World: 4. That the Law of Nature  
' is immutable, and cannot be chang'd.' *folio*  
4. and 12.

That 'Ligeance is a true and faithful  
' Obedience of the Subject to his Sove-  
' reign: ——— An Incident inseparable to  
' every Subject; for as soon as he is born, he  
' oweth by Birth-right, Ligeance and Obedi-  
' ence to his Sovereign.' *folio* 4.

That 'Ligeance doth not begin by the  
' Oath in the Leet: For many Men owe  
' true Ligeance, that never were sworn in a  
' Leet.' *folio* 5.

That there is 'Ligeantia Localis, wrought  
' by the Law: And that is, when an Alien  
' that is in Amity cometh into *England*;  
' because, as long as he is within *England*,  
' he is within the King's Protection: There-  
' fore, so long as he is there, he oweth unto  
' the King a Local Obedience or Ligeance;  
' for that the one draweth the other.' *Ibid.*

That there is also *Ligeantia Localis*, call'd  
*Suit Royal*, because the Ligeance of the Sub-  
ject is only due unto the King. 'This is  
' the Oath of Ligeance still us'd in Courts-  
' Leet;

' Leet; the Effect whereof is; *You shall*  
 ' *swear, that, from this Day forward, you*  
 ' *shall be true and faithful to our Sovereign*  
 ' *Lord King James, and his Heirs, and Truth*  
 ' *and Faith shall bear, of Life and Member,*  
 ' *and terrene Honour; and you shall neither*  
 ' *know nor bear of any Ill or Damage intended*  
 ' *unto him, that you shall not defend: So help*  
 ' *you Almighty God. The Substance and*  
 ' Effect hereof is due by the Law of Na-  
 ' ture; — the Form and Addition of the  
 ' Oath is *ex Provisione Hominis*. In this  
 ' Oath — were observ'd, 1. That for the  
 ' Time it is indefinite, and without Limit,  
 ' *from this Day forward: 2. Two excellent*  
 ' *Qualities are requir'd, that is, To be true*  
 ' *and faithful: 3. To whom? To our Sove-*  
 ' *reign Lord the King, and his Heirs: —*  
 ' 4. In what manner? *And Faith and Troth*  
 ' *shall bear, of Life and Member, &c. that*  
 ' is, until the letting-out of the last Drop of  
 ' our dearest Heart-blood: 5. Where, and in  
 ' what Places? — In all Places whatsoever:  
 ' For you shall neither know nor bear of any  
 ' *Ill or Damage, &c. so as Natural Ligeance*  
 ' is not circumscrib'd within any Place.'  
 folio 6.

That there is a two-fold Homage, *Lige-*  
*um*, and *Feodale*; the latter of which, being  
 by Tenure, may be respited: ' But *Homa-*  
 ' *gium ligeum*, i. e, *Ligeantia*, is inherent,  
 ' and inseparable, and cannot be respited.'  
 folio 7.

That



That ' Ligeance, Faith and Truth, which  
 ' are here Members and Parts, are Qualities  
 ' of the Mind and Soul of Man, and can-  
 ' not be circumscrib'd within the Predica-  
 ' ment of *Ubi*: For that were to confound  
 ' Predicaments, and to go about to drive (an  
 ' absurd and impossible Thing) the Predica-  
 ' ment of Quality into the Predicament of  
 ' *Ubi*.' folio 7. and 9.

That ' the Ligeance of a Natural-born  
 ' Subject is not local, and confin'd only to  
 ' *England*.' folio 8.

That it is to be observ'd, 1. ' That the  
 ' King hath *Fidem and Fideles in Partibus*  
 ' *transmarinis*: 2. That he hath *Proteccio-*  
 ' *nem in Partibus transmarinis*: 3. That he  
 ' hath *Potestatem in Partibus transmarinis*.'. *Ibid.*

That ' *Ligeantia Naturalis nullis Clausuris*  
 ' *coercetur, nullis Metis refrænatur, nullis*  
 ' *Finibus premitur*.' folio 10.

That Ligeance is ' due to the Natural Per-  
 ' son of the King (which is ever accompa-  
 ' ny'd with the Politic Capacity, and the  
 ' Politic Capacity, as it were, appropriated  
 ' to the Natural Capacity) and is not due to  
 ' the Politic Capacity only; that is, to his  
 ' Crown or Kingdom, distinct from his Na-  
 ' tural Capacity.' *Ibid.*

That ' the King holdeth the Kingdom of  
 ' *England* by Birth-right inherent, by De-  
 ' scent from the Blood Royal, whereupon  
 ' Succes-

‘ Suceceffion doth attend: And therefore it  
 ‘ is ufually faid, *To the King, his Heirs and*  
 ‘ *Succeffors*; wherein *Heirs* is firft nam’d,  
 ‘ and *Succeffor* is attendant upon Heirs.’ *Ibid.*

That, ‘ by Queen *Elizabeth*’s Death, the  
 ‘ Crown and Kingdom of *England* descend-  
 ‘ ed to his Majefty (King *James*): And he  
 ‘ was fully and abfolutely thereby King,  
 ‘ without any Effential Ceremony, or Act to  
 ‘ be done *Ex poft Facto*. For Coronation is  
 ‘ but a Royal Ornament, and Solemnization  
 ‘ of the Royal Defcent, but no Part of the  
 ‘ Title.’ As was clearly resolv’d, by *all the*  
*Judges of England*, in the Cafe of *Watfon*  
 and *Clarke*, 1. *Jac.* i. and appeareth evident-  
 ly, by *infinite Precedents and Book-Cafes*: —

‘ By which it manifetly appeareth, that, by  
 ‘ the Laws of *England*, there can be no *In-*  
 ‘ *terregnum* within the fame.’ *folio 10, 11.*

That ‘ in the Reign of *Edward II.*, the  
 ‘ *Spencers*, the Father and the Son, to cover  
 ‘ the Treafon hatch’d in their Hearts, invent-  
 ‘ ed this *damnable and damn’d Opinion*, That  
 ‘ Homage, and Oath of Ligeance, was more  
 ‘ by reason of the King’s Crown (that is, of  
 ‘ his Politic Capacity) than by reason of the  
 ‘ Perfon of the King; upon which Opinion  
 ‘ they inferr’d *execrable and deteftable Confe-*  
 ‘ *quents*, — all which were condemn’d by  
 ‘ two Parliaments.’ *folio 11.*

That ‘ it manifetly appeareth, that the  
 ‘ Ligeance or Faith of the Subject is *Pro-*  
 ‘ *prium*

‘ *prium quarto modo*, to the King, *omni soli*,  
‘ & *semper.*’ folio 12.

That, where we speak of the Law of  
England, ‘ the same is the King’s Law.’ *Ibid.*

That ‘ our Ligeance is due to our Natural  
‘ Liege Sovereign, descended of the Blood  
‘ Royal of the Kings of this Realm.’ *Ibid.*

That ‘ *Jus Naturale est, quod apud omnes*  
‘ *Homines eandem habet Potentiam.* — And  
‘ the Reason hereof is, for that God and  
‘ Nature is one to all; and therefore the Law  
‘ of God and Nature is one to all.’ folio 12.  
‘ and 13.

That ‘ it appeareth by demonstrative Reason,  
‘ that Ligeance, Faith and Obedience of the  
‘ Subject to the Sovereign, was before any  
‘ Municipal or Judicial Laws; 1. For that  
‘ Government and Subjection were long before  
‘ any Municipal or Judicial Laws: For that  
‘ it had been in vain to have prescrib’d Laws  
‘ to any, but to such as ow’d Obedience, Faith,  
‘ and Ligeance before, in respect whereof  
‘ they were bound to obey and observe them--.  
‘ Seeing then, that Faith, Obedience and Li-  
‘ geance are due by the Law of Nature, it  
‘ followeth, that the same cannot be chang’d  
‘ or taken away.’ folio 13.

That ‘ tho’ the King be in a Foreign  
‘ Kingdom, yet he is judged in Law a King  
‘ there.’ folio 15.

That ‘ whatsoever is due by the Law or  
‘ Constitution of Man, may be alter’d: But  
‘ Natural Ligeance — cannot be alter’d;

P

‘ *Ergo*



‘ *Ergo*, Natural Ligeance — is not due by  
 ‘ the Law or Constitution of Man. Again,  
 ‘ Whatsoever is due by the Law of Nature,  
 ‘ cannot be alter’d: But Ligeance, and Obe-  
 ‘ dience of the Subject to the Sovereign, is  
 ‘ due by the Law of Nature; *Ergo*, It can-  
 ‘ not be alter’d.’ *folio 25.*

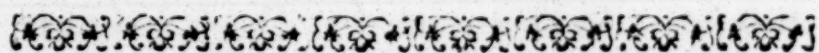


## N U M B E R   I V .

An Act *for the Abolishing the Kingly Office*  
*in England, &c.* 1648.

‘ **W** H E R E A S *Charles Stuart*, late  
 ‘ King ——— hath, by Authority  
 ‘ deriv’d from Parliament, been ——— at-  
 ‘ tainted of High Treason, whereby his Issue  
 ‘ and Posterity, and all others *pretending Ti-*  
 ‘ *tle* under him, are become *incapable of the*  
 ‘ *said Crowns, &c.* Be it therefore enacted —,  
 ‘ That all the People of *England, &c.* —  
 ‘ are *discharg’d of all Fealty, Homage and*  
 ‘ *Allegiance — pretended to be due, &c.* —  
 ‘ any Laws, &c. to the contrary hereof in  
 ‘ any wise notwithstanding. And whereas  
 ‘ it is, and hath been, found by Experience,  
 ‘ that the *Office of a King* in this Nation —  
 ‘ is *unnecessary, burthensome and dangerous to*  
 ‘ *the Liberty, Safety and Public Interest of*  
 ‘ *the People, &c.* — If any Person or Per-  
 ‘ sons

' sons shall endeavour — the reviving or  
 ' setting up again of any *pretended Right*, --  
 ' every such Offence shall be deem'd and  
 ' adjudg'd *High Treason*, &c. — And  
 ' whereas — a most happy Way is made  
 ' for this Nation — to return to its *just*  
 ' and *ancient Right* of being govern'd by its  
 ' own Representatives —, it is therefore  
 ' resolv'd, — That, so soon as may possibly  
 ' stand with *the Safety of the People* —,  
 ' and with what is *absolutely necessary* for the  
 ' preserving and upholding *the Government*  
 ' now settled, — they will carefully pro-  
 ' vide for the certain chusing, meeting and  
 ' sitting of the next and future Representa-  
 ' tives, — as of *Right is due unto the Su-*  
 ' preme Authority hereby declar'd, &c.'



## N U M B E R V.

Extract of the Proceedings on the Claim of  
 RICHARD Duke of York, against HENRY  
 VI. from the Parliament-Roll, 39 HEN-  
 RY VI. n. 10, &c.

THE Duke's Counsel exhibited his Claim  
 of the Crown, to the Lord Chancel-  
 lor, to be open'd to the House of Peers; set-  
 ting forth his Pedigree, as Son and Heir to  
*Anne*, Daughter and Heiress to *Roger Morti-*

mer, Earl of *March*, Son and Heir to *Phillippa*, Daughter and Heiress to *Leonel Duke of Clarence*, Third Son of King *Edward III.* to whom the Crown of Right appertaineth, before any Issue of *John of Gaunt*, Fourth Son of King *Edward III.*

The Lords agreed, his Claim ought to be heard, but *not to be answer'd without the King's Commandment; the Matter being so high, and of so great Weight, &c.*

The Duke's Counsel desiring an Answer, the Lords went together to the King, to understand his Pleasure: Who commanded them all, to search *all such Things as might be objected against the Duke's Claim.*

The Lords sent for the Judges, to have their Advice: Who begg'd to be excus'd, *the Matter being above the Law, and past their Learning.* Whereupon the King's Serjeants, and other Counsel, being call'd, offer'd the like Excuse.

The Lords thereupon agreed, every one to say *what he could, in fortifying the King's Title, and defeating the Duke's Claim:* The Substance of which, together with the Duke's Answers thereto, here follows.

1. They objected *their Oaths made to the King, which they might not break.* To which he answer'd, That every Man, under Pain of Damnation, is bound to obey the Law of God, whereby Truth and Justice ought to be preferred; of which Duty no Man may discharge him.



*himself by his own Act or Oath: That ' an*  
*' Oath made by one Person to the Prejudice*  
*' or Hurt of another, contrary to Truth,*  
*' Justice and Charity, in the which standeth*  
*' the Plenitude and Perfection of God's*  
*' Law, is void and of none Effect, neither in*  
*' any wise obligatory; and that the Virtue*  
*' and Nature of an Oath is to confirm*  
*' Truth, and in no wise to impugn it, &c.'*

2. They objected certain *Acts of Parlia-*  
*ment, as of Authority to defeat any manner of*  
*Title made to any Person: As also,*

3. *Divers Entails of the Crowns, made to*  
*the Heirs Male.* To both which the Duke  
 answer'd, That there were *no such Acts and*  
*Entails made, but only 7 Henry IV. who, if*  
*he might have obtain'd the Crown by Inheri-*  
*tance, neither needed, nor would have desir'd*  
*a Grant of it by such an Act; ' which tak-*  
*' eth no Place, neither is of any Force or*  
*' Effect against him that is right Inheritor*  
*' of the said Crowns, as it accordeth with*  
*' God's Law, and all Natural Laws, &c.'*

4. They objected his bearing the Arms of  
*Edmund Langley, Duke of York, and not*  
*those of Leonel, Duke of Clarence, under*  
*whom he claim'd.* To which he answer'd,  
 That tho' *he might lawfully have borne the*  
*Arms of Leonel, and even of King Edward*  
*III. yet he abstain'd for a Time, as he did*  
*also from pursuing his Right and Title, for*  
*Causes not unknown to all: But ' tho' Right*  
*' for*

for a Time rest, and be put to Silence, yet  
 it rotteth not, nor shall perish. And,  
 That Henry IV. on his Taking upon  
 him the Crown, said, *He enter'd as right Inhe-  
 ritor to King Henry III. and not as a Con-  
 queror.* Which (the Duke said) *could not be  
 true; but was only to shadow, and colour  
 fraudulently his unrighteous and violent  
 Usurpation, and by that Means to abuse  
 deceivably the People standing about him.*  
 After which it was thought, *by all the  
 Lords,* That the Title of the said Duke  
*could not be defeated:* But, in eschewing the  
*great Inconveniencies* that might ensue, a  
 Mean was found to save the King's Honour  
 and Estate, and to appease the said Duke, *if  
 he would;* viz. That the King might keep  
 the Crown and Dignity Royal during his  
 Life, and the Duke and his Heirs succeed  
 him. Which Proposal was accepted by both  
 Parties, and a Concordate made accordingly.

F I N I S.



333 46

